# Various Important Rules Compendium

*By*

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AND

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## SECTION I

### Advance for Purchase of Conveyance

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(ii) They shall be deemed to have come into force with effect from 1-1-1970.

**Rule 2. Kinds of Advances** :—Advances for purchase of Conveyance admissible to Government servants shall be of following kinds :—

1. Motor Car/Jeep.
2. Motor Cycle/Scooter/Auto Cycle and other similar vehicles.
3. Bicycle.
4. Camal.

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3. Bicycle.
4. Camal.

**Rule 3. General Conditions for Grant of Advance :**—(i) Advance for purchase of Conveyance can not be claimed as a matter of right. It may be granted to a Government servant in the following circumstances only :—

(a) Where a Government servant is required to maintain conveyance as a condition of service or employment or of holding any particular post to which he may be appointed under the explicit orders of a competent authority.

(b) (i) Where in the opinion of the sanctioning authority, the possession of conveyance is likely to add to the efficiency of a Government servant.

**(Issued *vide* F. D. *order No.* F. 1 (8) F. D. (Rules) 70 dated 3-2-1970)**

**(ii) No Government servant who has more than three children shall be eligible to the grant of advance under these rules unless he/she or his/her spouse furnishes a certificate from a State Government Medical Officer that he/she has undergone sterilization or in the case of a female Government servant, she is 45 years of age or above**

Provided that any male or female Government servant whose youngest child was born not less than 10 years before the date of application for advance shall be exempted from the operation of this rule '

(the existing clause (ii) to (vii) shall be renumbered as clauses (iii) to (viii) respectively )

The above amendments shall take effect with effect from 15 5-76

*Finance Department Order No F 1* (8) *FD/Gr* 2/70 *dated* 11-5-1976)

(ii) No advance shall be granted to a Government servant who is due to be superannuated within a period of 3 years from the date of issue of advance

(iii) **Security for Advance** ,The conveyance purchased with the aid of advance shall be considered to be the property of the Government

(iv) **Rate of Interest** —Simple interest at the rate fixed by Govern- [illegible] he amount of advance The [illegible] itstanding on the last date of [illegible] Government servant before complete repayment of advance with interest thereon, it becomes necessary to recover a part of advance or interest on the amount of advance by adjustment either against death cum retirement gratuity/bonus or Governmet contribution to Contributory Provident Fund or leave salary or other emoluments payable after the date of death the interest shall not be charged beyound the date of death of Government servant on account of advance thus adjusted

(v) **Repayment of Advance** —The grant of conveyance advance is subject to repayment in instalments in accordance with provisions of these rules If a Government servant to whom an advance has been sanctioned is dismissed removed, discharged or terminated or retired from service before the advance is fully paid he shall be required to pay the balance of the amount of the outstanding advance with interest in one instalment, or he may get it adjusted against gratuity

(vi) **Insurance of Vehicle** —It shall be obligatory on the part of Government servant to get the conveyance insured on comprehensive basis where necessary under these rules until the advance together with interest thereon is fully paid

(vii) **Penalty for contravention of Rules** —Contravention of the provisions of these rules shall render the Government servant liable to refund the whole amount in one instalment with compound interest (with yearly

interest) at a penal rate which will be 20% above the rate of advance unless good reason is shown to the contrary. It the Government servant fails to refund the entire amount of advance in one lump sum, the recovery shall be effected under the P.D.R. Act.

**(the existing clause (ii) of rule 3, shall be deleted and the existing clauses (iii) to (viii) shall be re-numbered as clauses (ii) to (vii) respectively.)**

**The above amendments shall be deemed to have come into force with effect from 22-1-1977.**

*[Finance Department Order No F. 1 (8) F.D.(Gr 2) 70 dt 15-2-1977]*

**Rule :—4. Amount of Advance and Number of Instalments of Recovery :—** (1) The amount of advance for purchase of conveyance and the number of instalments in which it shall be repayable, shall be as follows :

| Category of Government servants drawing pay | Kind of conveyance | Amount of advance | Number of in stal. of recovery of advance with interest thereon |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| 1. (i) Rs. 1450/- p m. & above. | Motor Car/ Jeep | 16 months pay or Rs. 30,000/— or the cost of Motor Car/Jeep whichever is less. | 120 |
| (ii) A.I.S. Officers drawing pay of Rs. 1000/-p m. & above | Motor Car/ Jeep | 22 months pay or Rs. 30,000/- or the cost of Motor Car/ Jeep whichever is less. | 120 |

The above amendments shall deemed to have come into force with effect from 1-9-1976.

(Finance Department Order No F.1 (8) F D /Gr. 2/70 Dated 31-12-76)

| | | | |
|---|---|---|---|
| 2. *Rs. 350/- p.m. & above | (i) Scooter/Motor Cycle/Moped (ii) Tricycle (for Disabled & Handicaped persons only) etc. | 10 months' pay or Rs. 5,500/-or the price of the Scooter/Motor Cycle/ Moped/Tricycle etc. whichever is less. | 100 |
| 3. All Govt. servants. | Cycle | Not exceeding Rs. 350/- | 35 |

Note :—Only Tricycle has beed added in order dated 31-12-79.

*(Substituted vide order No. F. 1 (37) F.D. (Gr. 2) 78 dated 28-4-1981)

| | | | |
|---|---|---|---|
| 4 Camel Sowars | Camel | 12 months pay or Rs 1500/ or the cost of camel whichever is less | 90 |

The above amendment shall take effect with effect from 1 9-1976 [Finance Department Order No F 1 (8) F D /Gr 2/70 Dated 31 8 1976]

Note —1 The term ' pay ' for the purpose of this rule means pay as defined in clause (i) in rule 7 (24) of R S R i e excluding special pay personal pay and dearness pay etc

Note —2 The Sub-Inspectors as Station House Officers in the Municipal area of the cities of Jaipur Ajmer, Jodhpur, Kota Udaipur & Bikaner shall be entitled to the advance for purchase of a Scooter Motor Cycle irrespective of their pay

[Finance Department Order No F 1 (8) F D /Rules/ 0 dated 6 12 1975]

Note —3 Where husband and wife both are State Government servants the pay of the both of them may be clubbed for the purpose of determination of eligibility for a particular type of conveyance ment oned in column 2 of this sub-rule The amount of advance shall be granted to either of them on the basis of his/her pay who makes an application for the grant of advance under these rules In such cases the other spouse shall not be eligible for entitlement to the grant of conveyance advance until the previous advance together with interest thereon taken by the other spouse has been fully paid

[Finance Department Order No F 1 (37) F D /Gr 2/78 dated 18 12 1978]

4 (2) In case the amount of advance drawn by a Government servant is more than the actual price paid the balance shal' be refunded to the Government immediately after completion of purchase

Note —1 The expression actual price in this rule means and includes —

(a) Actual price paid as the cost of the conveyance

(b) Price paid for essential accessories like spare wheel, tyre and tube, pump and tools, visor, pillien seat in a Scooter

(c) Price paid for essential extras of permanent nature like Luggage Carrier, Foot mats Seat Cover, Hub caps Mirror and Light

Note —2 In the event of ceiling of amount of advance admissible under rules and also number of instalments of repayments is revised or raised subsequent to the grant of advance to a Government servant in a particular calendar year and the amount of advance already sanctioned and drawn by a Government servant in that very calendar year falls short of actual price paid for the conveyance the difference may be sanctioned by the sanctioning authorities after satisfying that the price actually paid for conveyance exceeds the amount of sanctioned advance Similarly

the number of instalments within the revised limits may also be altered if the loanee makes a specific request for change in the number of instalments of recovery.

**Rule 5 Admissibility of Advance to Temporary Government Servants :—** A temporary Government servant may be granted advance for purchase of Bicycle/Motor Cycle/Scooter only subject to the following additional conditions :—

(i) In case of advance for purchase of Bicycle or Motor Cycle/Scooter etc., he should have completed at least two years of service or 3 years of service respectively.

(ii) An acceptable surety of a permanent Government servant in form G.A. 175 must be produced before an advance is sanctioned.

(iii) The sanctioning authority must record in writing that the Government servant is likely to continue in service till advance with interest thereon is recovered. In the event of his discharge before complete repayment of advance, the outstanding balance shall be recoverable from him in one lump sum before discharge.

(iv) Mortgage deed in prescribed form shall be executed.

**Rule 6. Authorities Empowered to Sanction Advances :—**The power to sanction conveyance shall vest in the following :

| | |
|---|---|
| (1) Department of Personnel. | (*i*) Full powers in respect of all Government servants posted in the Secretariat, Rajasthan Legislative Assembly, Governer's Secretariat, Lokayukta Sachivalaya and State Government servants posted in Government Departments/Offices outside the State. |
| | (ii) Full powers in respect of officers of All India Services. |
| | (Amended vide Order No. F. 1(8)FD/Gr. 2/70, dated 30-3-1978) |
| (2) Collectors. | Full powers. |
| (3) High Court. | Full powers in respect of R. J. S. Officers and High Court and Subordinate courts staff. |

**Govt. Order :—**Government servants are sanctioned advance for purchase of a conveyance by the competent authorities under Rule 6 of Conveyance Advance Rules.

It has come to the notice of the Government that the Government servants who are sanctioned advance for purchase of conveyance contravene the provisions of the rules on account of non-completion of formalities like

execution of agreement, mortage bond purchase of conveyance in prescribed time insurance of vehicle etc Consequently they become liable to make payment of interest at penal rate or may be required to refund the entire amount of advance in one lump sum with penal interest The authorities competent to sanction advance also do not watch the completion of the afore mentioned formalities

It is, therefore, enjoined upon all the authorities empowered to sanction conveyance advance to the Government servants to ensure the completion of formalties from the Government servant within the prescribed time as required under the rules The sanctioning authorities may also send the information in this regard to this Department in the month of January and July every year in the following proforma

| Name & designation of the Government servant to whom advance has been granted | Kind of conveyance for which advance has been sanctioned | Amount of Advance | Date on which the amount of advance has been paid to the Government servant |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

| Date on wh ch the conveyance purchased | Cost of the cenveyance purchasd | Whether cash receipt has been submitted or not | Whether the conveyance has been insured on comprehensive basis or opted to contribute towards A H F in lieu of insurance |
|---|---|---|---|
| 5 | 6 | 7 | 8 |

| Whether mortgaged deed has been executed within the prescribed time or not | Remarks |
|---|---|
| 9 | 10 |

[*Finance Department memo No* F 1(8)FD/Gr 2/72, *dated* 3 8 1878]

**Order** —It has come to the notice of the Government that the date of retirement of a Government servant is rot mentioned in the sanction issued by the Competent authority under rules regulating grant of House Building/Conveyance advance to Government servants It is therefore enjoined upon Collectors/Registrar, High Court and Department of Personnel who are authorities competent to sanction grant of House Building/Conveyance advances to ensure that the date of retirement of a Government servant is invariably mentioned in the sanction itself

2 It has also decided that each authority competent to issue sanctions in regard to the aforesaid advances shall send a statement to the Accountant

General, the Chief Pension Officer and the Director of Insurance (for recovery of Hazard Fund) on Ist Jan., 1st May and 1st Semptember in the prescribed form given below :—

1. Name of the Government servant.
2. Designation.
3. Nature of advance sanctioned/Original advance/or Conveyance advance
4. Amount of advance
5. Date of retirement of Government servant.
6. Reference of number and date of sanction.

3 Thereupon, the Accountant General will communicate the number of the ledger account maintained in his office to the Chief Pension Officer and Head of Office/Head of Department in which Government servant concerned is working The Head of Office/Head of Department, as the case may be, shall make an entry in the remarks column of Service Book of the concerned Government servant under proper attestation about the fact of having taken advance with particulars of reference of number, date of sanction, amount of advance and the account number communicated by the Accountant General.

4. The Chief Pension Officer will exercise a watch over timely rendition of such statements by the aforesaid authorities, and in case statements are not received by 15th of the month in which these are due, he will address communication to the concerned authorities to obtain same.

Circular No F. 1 (40) FD (Gr. 2)/79 Dated 7 3-81

**Rule 7. Mode of Recovery** :—(1) (i) The amount of advance shall be recovered in prescribed number of instalments through monthly pay bills. The first instalment shall commence with the first issue of pay after the advance is drawn. In case pay bills are disbursed before 1st of the following month i. e. the normal date of disbursement, the instalment in repayment of advance made through such pay bill be taken as paid on 1st of the following month to which the pay bill relates.

(ii) In cases where the Government servant is unable to present his claim in time for certain administrative reasons or for want of pay slip, the recovery towards repayment of advance shall be deemed to have been made in the month following the month to which pay/leave salary relates irrespective of actual date of its drawal

(2) The monthly recovery towards repayment of advance shall also be made from the leave salary or subsistence allowance payable to a Government servant while on leave of any kind or under suspension. The sanctioning authority may, however, in exceptional cases order reduction in the amount of monthly instalment or suspend the recovery from subsistence allowance subject to the condition that the reduced or suspended amount of due instalments is repaid within the period originally fixed.

(3) The amount of repayment of instalments shall be fixed in whole rupees except in the case of last instalment when balance of rupees should be recovered.

(4) The amount of interest will be recovered in one or more instal ments, each such instalment being not more than the instalment in which principal is recovered The recovery of interest will commence from the month following that in which repayment of principal has been completed

Rule 8 **Insurance of Vehicles purchased with the aid of Advance —** (1) Motor Car/Jeep and Motor Cycle/Scooter purchased with the aid of an advance taken under these rules shall be insured on comprehensive basis and the insurance continu^s until the ad\ ance together with the interest is fully paid The amount of insurance shall not be less than the amount of advance outstanding against the Government servant on the date of effecting/renewal of insurance

(a) A Government servant who is granted Conveyance for pur chase of Car/Jeep and Motor Cycle/Scooter etc shall have option either to contribute towards Advance Hazard Fund in accordance with Rajasthan Advance Hazard Fund Rules 1970 or to have vehicle insured on comprehensive basis with the General Insurance Corporation of India or its subsidi aries

(Substituted vide F D Order No 1(8)FD(R) 70, Dated 15 4-77 and effective from 1 1-77)

(b) '*The recovery towards Advance Hazard Fund @ 1/2% shall be* made from pay bill of officials opting for such contribution in lieu of comprehensive insurance on 1st April each year on the balance outstanding on 31st March of previous year or on the last day of month in which previous comprehensive insu rance policy expired or the advance was drawn [where the advance was paid during the course of year In case where advance was drawn during the course of financial year the con tribution towords Advance Hazard Fund shall be calculated only for such part of year for which advance made remain out standing

(2) In case of advance sanctioned for purchase of Car/Jeep/ Motor Cycle/Moped etc the sanctioning authority shall after payment of advance obtain from the Government servant a letter in from G A 178 to the General Insurance Corporation of India or its subsidaries to notify to them the fact that the Government is interested in the Insurauce policy secured He will himself forward the letter to Company and obtain its acknowledgement If the insurance has been effected on annual bas s, this process will be repeated every year until advance has been fully repaid to Government The sanctioning authority shall furnish a certificate to the Accountant General to the effect that the borrower has insured the vehicle on comprehensive basis for an amount not less than the outstanding amount of advance (plus interest thereon) and that the General Insurance Corpora tion of India has been notified about the interest of the Government in the Poli^y '

(Substituted Vide F 1(37) F.D (Gr 2)78 dated 21-8-1980)

**Rule 9 Procedure for Grant of Advance** —(a) Application for advance shall be made in form G A 157 to the Head Office who will examine it in the light of provisions of rules 3, 4 & 5 of these rules and pass on to the sanctioning authority after adding its remarks

(b) The sanctioning authority shall enter the particulars in the Register of Advance (Form given in Appendix 'A ) for purchase of conveyance and proceed to examine the application with reference to provisions of these rules and then may sanction advance

(c) The authority competent to sanction the advance shall satisfy himself that funds are available out of the allocations placed at its disposal in the year in which advances are made before issuing sanction for grant of conveyance advance

(The words ' Head of Deptt ' has been deleted vide No F 1(8) FD (Gr 2) 70 dated 3 8-1978)

"(d) The sanctioning authority shall obtain an agreement in form GA 176 duly executed by the Government servant The agreement shall be signed by the sanctioning authority on behalf of the Government and shall remain in the safe custody of the sanctionirg authority The sanctioning authority mention in the sanction itself that the agreement in the prescribed form has been executed by the Government servant "

(Inserted vide FD No F1(8)FD(Gr 2)70 dated 3-8-78 remaining clause renumbered)

(e) The sanction issued for drawal of advance by the sanctioning authority shall remain current for 3 months from the date of issue after which fresh sanction should be issued

(f) The period within which the conveyance should be purchased by Government servant shall be mentioned in the letter sanctioning advance in accordance with provisions of these rules The amount of conveyance advance shall be payable in one instalment only.

(g) To avoid rush of expendi ure and unsurrendered Savings at the close of financial year, the sanctioning authority should not issue fresh sanctions during the last two months of the financial year

* New clause (d) inserted and existing clausesr renumbered vide F 1(8) FD (Gr 2) 70 dated 3 8-78

**Rule 10 Mode of Drawal of Advance** ,—(i) The bill for advance shall be drawn out in form G A 121 It shall be drawn by the drawing officer only after the Government servant has received a written assurance from dealer that supply is likely to be available within a month.

(ii) The drawing officer shall intimate to the sanctioning authority and the Accountant General the date on which the amount of advance has been paid to the Government servant

(clause (i) deleted and remaining clause re-numbered vide order No F 1(8) FD (Gr 2) 70 dated 3-8-1978)

(1) महालेखाकार, राजस्थान, जयपुर द्वारा राज्य सरकार के ध्यान म लाया गया है कि जिन राज्य कर्मचारियो को वाहन क्रय करने हेतु ऋण स्वीकृत किया जाता है उनमे से अधिकाश कर्मचारियो/अधिकारियो द्वारा निर्धारित अवधि म उस राशि का उपयोग वाहन क्रय हेतु नही किया जाता है। इसके फलस्वरूप वे आडिट द्वारा जाच हेतु वाहन क्रय के प्रति किये गए भुगतान की रसीदें आदि के कागजात प्रस्तुत नही कर पाते हैं। इस तरह की अनियमितता सम्बन्धी आक्षेपो मे निरन्तर हो रही वृद्धि को रोकने की दृष्टि से यह निर्णय लिया गया है कि भविष्य मे वाहन क्रय ऋण स्वीकृत करते समय सक्षम अधिकारियो द्वारा ऋण स्वीकृति आदेश मे यह स्पष्ट उल्लेख किया जावेगा कि इन ऋणो की राशि आहरण अधिकारी द्वारा नकद भुगतान करने के बजाय उन फर्मस/कम्पनियो के नाम डिमान्ड ड्राफ्ट क रूप म ही बैंक से आहरित की जावेगी तथा इस राशि के भुगतान के प्रति सम्बन्धित कर्मचारी अधिकारी की रसीद प्राप्त कर उनसे सम्बन्धित राशि का डिमान्ड ड्राफ्ट उन्ह वाहन क्रय के प्रति भुगतान हेतु दिया जावेगा। इस प्रक्रिया के फलस्वरूप वाहन क्रय हेतु स्वीकृत ऋण राशि का उपयोग निर्धारित अवधि म सम्भव हो सकेगा।

परिपत्र क्रमाक–प० 9 (34) वि० मा० 80, दिनाक 15 मई, 1980

(2) इस विभाग के परिपत्र सम–सख्यक दिनाक *15* मई, *1980* मे वाहन अग्रिम के भुगतान हेतु जो प्रक्रिया बतलाई गई है, के सन्दर्भ म कई ऋण स्वीकृताधिकारियो द्वारा यह स्पष्टीकरण चाहा गया है कि जो राज्य कर्मचारी/अधिकारी प्राइवेट पार्टी से पुराना वाहन खरीदना चाहते हैं ऐसे मामलो मे स्वीकृत वाहन अग्रिम की राशि का भुगतान किस प्रकार किया जाय।

इस सम्बन्ध म निदेशानुसार पुन स्पष्ट किया जाता है कि वाहन चाहे नया खरीदा जावे या पुराना दोनो ही स्थिति म स्वीकृत वाहन ऋण राशि का भुगतान वाहन विक्रेता के नाम बैंक ड्राफ्ट बनाया जाकर ही किया जाना चाहिये।

परिपत्र क्रमाक–प 9 (34) वि मा /80 दिनाक 29 जुलाई, 1980

वित्त (मार्गोपाय) राज्य कर्मचारियो को भवन निर्माण के विभिन्न प्रयोजनार्थ ऋण स्वीकृत करने बाबत ऋण स्वीकृति। कर्मचारी अन्य जिले मे पदस्थापित हो तो उस जिले के जिलाधीश को भी प्रति दी जाय।

क्रमाक–प० 9 (15) वि० मा०/80 दिनाक 16 मई, 1980

उपरोक्त विषय मे लेख है कि भवन निर्माण अग्रिम नियमो के अनुसार राज्य कर्मचारियो को भवन निर्माण के विभिन्न प्रयोजनार्थ ऋण उस ही जिलाधीश द्वारा स्वीकृत किया जाता है जहा कर्मचारी/अधिकारी मकान निर्माण/क्रय/मरम्मत कराता हो चाहे सम्बन्धित कर्मचारी अन्य जिले मे पदस्थापित हो। कथित ऋण राशि का आहरण उसके पदस्थापन के स्थान पर नियुक्त सम्बन्धित आहरण अधिकारी द्वारा किया जाता है। इस प्रक्रिया से एक ही जिले के कोषालय से विभिन्न जिलाधिशो द्वारा स्वीकृत ऋण राशि का आहरण होता है। इससे उस जिले सम्बधित मद मे व्यय की गई राशि के आकडो के मिलान कार्य म कठिनाई होती है एव अनावश्यक विलम्ब होता हैं। अत भवन निर्माण अग्रिम के अन्तर्गत व्यय की गई राशि के आकडो के मिलान कार्य मे आने वाली इस कठिनाई का निराकरण करने हेतु राज्य सरकार द्वारा निर्णय लिया गया है।

*(iii) the amount outstanding shall not be permitted to exceed the cost* of the new conveyance.

Rule 14 (1) A Government servant may be granted Second Advance/Third Advance for purchase of a conveyance subject to the following condition —

(a) *the previous advance (s) has/have been repaid in full together with* interest thereon,

(b) The conveyance purchased with the aid of advance has been sold, after obtaining prior permission of the sanctioning authority and the balance of sale proceeds remaining with the officer after making repayment of entire outstanding balance of previous advance (s) *together with interest is utilised fully towards the purchase of* another conveyance

Note —Government servants who have taken conveyance advance for purchase of a cycle will not be required to sell the cycle purchased with the aid of advance and will not be required to apply *the sale proceeds towards the purchase of another conveyance*

(c) *The advance shall be admissible for purchase of a new or second* -hand motor conveyance, motor cycle or scooter etc

(2) The amount of second advance/third advance shall be equal to the difference between the actual cost of conveyance and the amount of sale proceeds available with the officer for application towards purchase of *another conveyance limited to maximum amount admissible to a* Govern*ment servant under rule 4*

(Substitutedvide Order No F 1 (8) FD/Gr 2/70 dated 18 9 1978)

@@"15 **Provisions for sanction of advance to Government servants who have purchased conveyance by raising a temporary loan from the Bank** — Government may sanction conveyance advance to a Govt servant to clear off a temporary loan raised from a Bank for purchase of conveyance pending issue of sanction of advance under these rules provided that—

(a) It has been purchased within a period of three months from the date of making the application for sanction of advance, and

(b) The conveyance has been allotted to him out of State quota for allotment of vehicle to Goverment servants or through regular private registration

16 **Procedure for Grant of Conveyance Advance to Government servants on Deputation to Central or other State Governments, Local Bodies, Corporations, Statutory Bodies** —(i) The application for advance will be submitted through the foreign employer

(ii) The sanctioning authority *will be the Collector* of the District who shall *after satisfying with the* condition laid down in the rules, will arrange to send the amount to the foreign employer for disbursement to the payee and will also inform the parent department of which the employee is on deputation

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@@New Rule inserted vide F D order No F 1(8)F D (Rules)/70, dated 6-7-74 and effective form 1 5 74.

(iii) A duly stamped receipt will be obtained from the payee in token of the amount having been disbursed to him and shall be forwarded to the sanctioning authority for record

(iv) Necessary documents regarding mortgage of conveyance will also be got executed by the sanctioning authority and the deed retained in the office of the sanctioning authority

(v) The foreign employer will be responsible for the recovery of the advance and ensure that the amount of instalments as fixed by the sanctioning authority is timely deducted from the pay bill of Government servant and credited into the treasury under the appropriate Head of Account alongwith a statement of recovery in the proforma given in Appendix 'B' with a copy to the sanctioning authority. The Treasury Officer will ensure that these statements are invariably attached with the cash recovery schedule and sent to the Accountant General with monthly accounts.

(vi) In the case of reversion of the Government servant from foreign service, the amount outstanding and the rate of recovery shall be shown in the L.P.C issued to the Government servant

**16. (A) "Procedure for grant of conveyance Advance to Government servants Posted at places outside the state :—**

1. The application for conveyance advance will be submitted through the head of Office to the Collector, Jaipur.
2. The authority competent to sanction advance will be Collector, Jaipur who shall, after satisfying with the conditions laid down in the rules, arrange to same the amount of advance to the Head of Office in which he is employed through Demand Draft for disbursement to the payee under intimation to the parent department to which he belongs
3. A stamped receipt will be obtained from the payee in token of the amount having been disbursed to him and the disbursing officer shall forward the same to the sanctioning authority for record."

(Added vide Order No. F. 1 (37) F.D. (Gr. 2) 78 dated 1-7-1980)

## SECTION II

**Loan to Government servants for Purchase of a Car/Motor Cycle/Scooter by Bank**

17. Notwithstanding the provisions contained in Section I of these rules, Government may, by order, notify the name of the Bank(s), the area of its operation, the extent of repayment guarantee and the date from which the approved Bank(s) shall commence granting of loan to Government servants for purchase of Car/Motor Cycle/Scooter/Moped etc. in accordance with the terms, conditions and the procedure laid down in the Scheme annexed to these rules in Appendix 'C'

By Order,
एम. मुकर्जी
**Financial Commissioner &**
**Secretary to Government.**

## FINANCE (RULES) DEPARTMENT

### ORDER

Jaipur, February 4 1970

No F 1 (8 /F D (Rules)/70 —The Governor is pleased to orde that the Form GA 157 in General Financial & Accounts Rules Volume I shall be substituted by the following form —

GA 157

### GOVERNMENT OF RAJASTHAN

**Application for loan for purchase of conveyance**

1. (i) Name and age (Next birthday)
   (ii) Whether temporary or permanent
2. Designation
3. Permanent Residential address
4. Name of Department in which employed
5. Monthly substantive pay and officiating pay (if any)
6. Date of retirement
7. Kind and approximate value of conveyance proposed to be purchased
8. Amount of asked for
9. Conveyance advance if already drawn, the number and date of the order sanctioning it (attach a true copy) and the date on which it was fully repaid
10. Whether officer agrees to insure Car/Jeep/Scoo

ter/Motor Cycle etc. at his own expenses on comprehensive basis with the L.I C. or its subsidiaries or to contribute towards Rajasthan Advance Hazard Fund maintained by the State Insurance Departmment.

DECLARATION

1. I hereby bind myself to use the money for the purpose I have applied for and in strict compliance with rules laid down for purchase of conveyance by the Rajasthan Government.

2. I hereby agree that in the event of resignation, termination, dismissal, removal or compulsory retirement from service or death before complete repayment of advance with interest thereon, the Government shall be free to recover, the outstanding amount of loan and interest thereon from the amount of death-cum retirement gratuity/bonus or Government contribution to contributory provident fund or leave salary or any other emoluments payable to me on or after the date of occurrence of any of the aforesaid mentioned circumstances.

Witness

Signature of the Govt servant
Designation——————(official Seal)

1—————

(Name)

Name of Deptt. ............

Date ... ..... ...

——————

(Designation & Deptt.

2——————

(Name)

——————

(Designation & Deptt.

By Order,

एम. मुकर्जी,

Financial Commissioner &

Secretary to Government.

G A 175

# GOVERNMENT OF RAJASTHAN

**Form of Bond with Surety to be executed by a permanent Government Servant before grant of a cycle advance to a temporary Government Servant**

This Bond made by son of ... in favour of the Governor of Rajasthan (hereinafter called the Government)

WHEREAS I, of have, under the provisions of the Rules to regulate the grant of Advances to Government servants for the purchase of conveyance (hereinafter referred to as the said Rules which expression shall include any amendments thereof for the time being in force) applied to the Government of Rajasthan (hereinafter called the Government) for a loan of Rs for the purchase of a cycle, and

HEREAS on my request Shri of ... has agreed to stand as surety for me for the re-payment of the said loan

Now this Bond witnesses as under

That I (aforesaid) acknowledge my indebtedness to the Government in the sum of Rs to be advanced by the Government and that I hereby agree to repay the same to the Govern ment together with interest thereon due and owing in accordance with the said Rules and the terms add conditions to be separately signed by me as Agreement which will be executed in the form prescribed by the Government at the time of drawing the above mentioned advance

Station Signed by Borrower
Dated Designation

In the presence of

Ist Witness
Signature
Occupation
Address

2nd Witness
Signature
Occupation
Address

In consideration of the advance of a sum of Rs , .. to be made by the Government to the said Shri
I of (hereinafler called the surety, which expression shall include my heirs administrators, executors

and legal representatives) hereby stand as Surety for the re-payment of the said loan to the Government with interest in accordance with the Rules. In case the aforesaid Shri ..... ........... . ......shall fail to pay the said sum, I, the said Shri ... ..........................shall without objectioh pay the said duse of the Government on demand.

In witness whereof I . ...... . .... ...................hereunto have set my hands . ..... ..................day of ...... ..........................one thousand nine huadred and sixty ......... . ...............

Station..... ............ | Signed by Surety ....................
Dated.................. | Occupation ............................
 | Aderess ... ...................... ...

In the presence of

Ist Witness :

Signature
Occupation
Address

2nd Witness :

Signature
Occupation
Address

---

Accepted by me on behalf of the Government.

Station..... ...... ... | Signature . ...... ............
Dated....................... | Designation......... .. . . ......

GA 176

## GOVERNMENT OF RAJASTHAN

**Form of Agreement to be executed at the time of drawing an advance for the Purchase of Conveyance.**

AN AGREEMENT made on ...... ...... ...........day ......... ............ One Thousand Nine Hundred and .................................. ........... BETWEEN...... ......... ......... ...(hereinafter called the Borrower, which expression shall include his heirs, administrators executors and legal representatives) of the one part and the Government of Rajasthan (hereinafter called the Government which expression shall include their successors and assignees) of the other part.

WHEREAS the Borrower has under the provisions of the other Rules to regulate the grant of advances to Government servants for purchase of conveyance (hereinafter referred to as the said Rules which expression shall include any amendments thereof or addition thereto for the time being in force) applied to the Government for a loan of Rs......................for the

purchase of conveyance ( — —) and whereas the Governor has agreed to lend the said amount to the Borrower on the terms and conditions hereinafter contained

Now IT IS HEREBY AGREED between the parties hereto that in consideration of the sum of Rs paid by the Government to the Borrower (the receipt of which the Barrower hereby acknowledges), the Borrower hereby agrees with the Government (1) to pay the Government the said amount with interest calculated according to the said Rules by monthly deductions from his salary as provided in the said Rules and hereby authorises the Government to make such deductions and (2) within one month from the date of these presents to expend the full amount of the said loan in purchase of conveyance or if the actual price paid is less than the load to repay the difference to the Government forthwith and @(3) to execute a document hypothecating the said conveyance to the Governor as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said Rules and *(4) to insure the said conveyance against damage or loss with some Insurance Company approved by the Government which agrees to provide for the clause contained in Government Order No F 13 (1) R 52, dated 20 3 1952 in the Insurance policy taken on the Motor Vehicle or Motor Cycle and *(5) to pay the Government any sum accruing to the Borrower under the insurance on account of any loss or damage to the conveyance during the currency of these presents

And it is hereby lastly agreed and declared that if the said conveyance has not been purchased, insured and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolvent or quits the service of the Government or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable

IN WITTNESS whereof the Borrower and for and on behalf of the Governor of Rajasthan have hereunto set their hands, the day and year first before written

Signed by the aforesaid Borrower

In the presence of

*Ist Witness*

Signature
Occupation
Address

@ To be struck off in case of advance for the purchase of a cycle to permanent Government servant

* To be struck off if the conveyance *is not a motor vehicle* or motor cycle

*2nd Witness*

Signature
Occupation
Address

Signed by on behalf of the Governor of Rajasthan

*Signature*

*Designation*

In the presence of

*1st Witness*

Signature
Occupation
Address

*2nd Witness*

Signature
Occupation
Address

GA 177

## GOVERNMENT OF RAJASTHAN

**Form of Mortage Bond for Conveyance Advance**

THIS INDENTURE made this day of One Thousand Nine Hundred and Between Shri resid nt of (hereinafter called 'the Borrower' which expression shall include his heirs administrators executors and legal representatives) of the one part and the Governor of Rajasthan (hereinafter called the Government) which expression shall include their successors and assignees of the other part

WHEREAS the Borrower has applied for and has been granted an advance of Rupees to purchase a conveyance (— ) on the terms of Rules to regulate the grant of Advances to Government servants for the purchase of conveyance (herein after referred to as the said Rules which expression shall include any amendment thereof or addition thereto for the time being in force) AND WHEREAS one of the conditions upon which the said advance has been/was granted to the Borrower is/was that the Borrower will/would hypothecate the said conveyance ( ) to the Government as security for the amount lent to the Borrower AND WHEREAS the Borrower has purchased with or partly

with amount so advance as aforesaid the conveyance (....... .. .. ... ..) particulars whereof are set out in the Schedule hereunder written.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby covenant to pay to the Government the sum of Rs . ... ... ...aforesaid or the balance thereof remaining unpaid at the date of these presents by the equal payments of Rs . . . . each on the first day of every month and will pay interest on the sum for the time being remaining due and owing calculated according to the said Rules and the Borrower doth agree that such payments may be recovered by monthly deductions from his salary in the manner provided by the said Rules, and in further pursuance of the said agreement the Borrower doth hereby assign and transfer unto the Government the conveyance ( . . . ) the particulars whereof are set out in the Schedule hereunto written by way of security for the said advance and the interest thereon as required by the said Rules.

AND the Borrower doth hereby agree and declare that he has paid in full the purchase price of the said conveyance and that the same is his absolute property and that he has not pledged and so long as any money remain payable to the Government in respect of the said advance will not sell, pledge or part with the property in or possession of the said conveyance ( .. ) PROVIDED ALWYAS and it is hereby agreed and declared that if any of the said instalments of principal or interest shall not be paid or recovered in manner aforesaid within ten days after the same are due or if the Borrower shall die or at any time cease to be in the Government service or if the Borrewer shall sell, or pledge or part with the property in or possession of the said conveyance ( . .. ...) or become insolvent or make any composition or arrangement with his creditors or if any person shall take proceedings in execution of any decree or judgment against the Borrower the whole of the said principal sum which shall then be remaining due and unpaid together with interest thereon calculated as aforesaid shall forthwith become payable

AND IT IS HEREBY AGREED and declared that the Government may on the happening of any of the events hereinbefore mentioned seize and take possession of the said conveyance (.. ... ) and either remain in possession thereof without removing the same or else may remove and sell the said conveyance ( ... ) either by public auction or private contract and may out of the sale monies retain the balance of the said advance then remaining unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and payment properly incurred or made in maintaining, defending or realising its rights hereunder and shall pay over the surplus if any to the Borrower his executors, administrators or personal representatives.

PROVIDED FURTHER that the aforesaid power of taking Possession or selling of the said conveyance ( . ... .) shall not prejudice the

right of the Government to sue the Borrower or his personal representatives for the said balance remaining due & interest or in the case of the conveyance (.......... .) being sold, the amount by which the net sale proceeds fall short of the amount owing.

AND the Borrower hereby further agrees that so long as any monies are remaining due and owing to the Government, he, the Borrower, will insure and keep insured the said conveyance (Motor Vehicle or Motor Cycle) against loss or damage by fire, theft or accidedt with an Insurance Company to be approved by the Accountant General which agrees to provide for the clause contained in the Government order No. F. 13 (1) R/52 dated 20-3-52 in the Insurauce Policy taken on the Motor Vehicle or Motor Cycle & will produce evidence to the satisfaction of the Accountant Generalt hat the Motor Insurance Company with whom the said Conveyance (Motor Vehicle or Motor Cycle) is insured, have received notice that the Government is interested in the Policy AND the Borrower hereby further agrees that he will not permit or suffer the said conveyance (Motor Vehicle or Motor Cycle) to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear thereof AND furthere that in the event of any damage or accident happening to the said conveyance (Motor Vehicle or Motor Cycle) the Borrower will forthwith have the same repaired and made good

IN WITNESS whereof the said ......(Borrower) and ... ... for and on behalf of the Governor of Rajasthan have hereunto set their respective hands the day year first above written.

Signed by the aforesaid mortgagor :

In the presence of ... ... ... ... .

| *1st Witness* | *2nd Witness* |
| --- | --- |
| Signature ... . ... . .. . | Signature......... ... . ... |
| Occupation .. ... . . . | Occupation........ .. ... |
| Address ......... ......... .. | Address................ . ... |

Signed by ... ... on behalf of the Governor of the State of Rajasthan

Signature..... ......

Designation...........

In the presence of :

| *1st Witness* | *2nd Witness* |
| --- | --- |
| Signature... ................ . . | Signature ..... ... , . ... |
| Occuption ..... . ...... . ... | Occuption......... .. ....... |
| Address... ................. .. ...., | Address . ......... ...... . |

Appendix 'C'

## THE SCHEDULE

### Description of conveyance

Maker's name

Description

+No of Cylinders

+Engine Number

Chassis/Farme No

Cost price

Othgr distinguishing particulars if any

+ To be filled up only in case of Motor Vehicle or Motor Cycle

## APPENDIX A'

Register of advance/loans granted to Government servants for purchase of conveyance

YEAR

Amount of Allotment/Reference of Govt sanction

| S No | Date of receipt of application | Name of applicant designation and department |
|---|---|---|
| 1 | 2 | 3 |

| Permanent Residential address | Date of retire ment | Substantive/Officiat ing pay on—— |
|---|---|---|
| 4 | 5 | 6 |

| Kind of Conveyance proposed to be purchased | Amount of advance/loan asked for |
|---|---|
| 7 | 8 |

| Whether consent is given to insure vehicle with LIC or to contribute towards Advance Hazard Fund | Amount of advance sanctioned (give reference of sanction) |
|---|---|
| 9 | 10 |

| No. of instalment in which repayable | Rate of interest |
|---|---|
| 11 | 12 |

| Date of payment of amount of advance (Note Treasury Voucher No and date of payment | Date of purchase of conveyance |
|---|---|
| 13 | 14 |

| Date on which agreement in prescribed from executed and serial No. assigned to it | Date on which mortagage deed in prescribed form executed and S No. assigned to it |
|---|---|
| 15 | 16 |

| Details of renewal of Insurance. | Remarks. |
|---|---|
| 17 | 18 |

*Instructions :—*

1. This Registered shall be maintained by the Sanctioning authority.
2. Entries in Columns 1 to 9 shall be filled in on the basis of information furnished by the Government servant in the application form and in Columns 10 to 12 at the time of issue of the loan.
3. Entries in Columns 13, 14, 15, 16 and 17 shall be filled in as and when information is received. In case the information required for filling in these columns is not received within the

time prescribed in the rules, the sanctioning authority shall take up the matter promptly with the concerning authorities to obtain the required information

4 In the applicant is a temporary Govt servant a remarks to the effect that an acceptable Surety of a permanent Govt. servant has been obtained in the prescribed form may be given in Column No 18

## APPENDIX 'B'

### Statement of Recovery

| S No | Name & Designation of th- the employee | Nature of advance sanctioned |
|---|---|---|
| 1 | 2 | 3 |

| Amount of advance | Designation of the sanctioning authority | No & date of sanction |
|---|---|---|
| 4 | 5 | 6 |

| Rate of Instalment | Date of Disbursement of advance |
|---|---|
| 7 | 8 |

| Challan No and date under which the amount is credited in the treasury | Amount of recovery up to the last month |
|---|---|
| 9 | 10 |

| Amount recovered during this month | Balance |
|---|---|
| 11 | 12 |

# APPENDIX 'C'

## Scheme for Grant of Loan for Purchase of Conveyance to Government Servant by the Bank

State guarantee of Repayment of loan

1. The State Government shall give a general Guarantee of repayment of loan advanced by the Bank to the Government servants for purchase of conveyance specifying a definite amount (as-20 lakhs or 50 lakhs) by entering into any agreement for this purpose for each calendar year.

Amount of loan

2. (i) The amount of loan and number of instalments in which it shall be repayable shall be as follows :—

| Kind of conveyance | Maximum amount of loan | Maximum Number of monthly equated instalments of principal plus interest |
|---|---|---|
| 1. Car/Jeep | 18 months pay or Rs. 20,000/- or the cost of car whichever is less. | 60 |
| 2. Mothor Cycle/ Scooter/Mopeds | 10 months pay or Rs 4,000/-or the price of the motor cycle/scooter/ mopeds etc. whichever is less. | 48 |

**Note** :—For the purpose of this clause the term 'pay' means Monthly substantive or Officiating 'pay' i. e. excluding Special pay, personal pay and dearnes pay etc.

(ii) The loanee shall not be required to contribute any amount representing % of cost of conveyance at all since the Government guarantees full repayment of loan.

(iii) **Admissibility of loan** :—Loan for purchase of a Car/Jeep shall be admissible to permanent Government servants only. A loan for purchase of a Motor Cycle/ Scooter etc shall be admissible to permanent as well as a temporary Government servant. A temporary Government servant shall be granted loan for purchase of a Motor Cycle/Scooter on the following conditions ;—

1 He should have completed at least three years of service on the date on which he applies for the loan

2 He shall be required to furnish an acceptable surety of a permanent Government servant to the Government in prescribed form 'D before an advance is sanctioned

3 The recommending authority shall certify that the Government servant is likely to continue in service till the whole amount of loan with interest thereon is repaid to the Bank In the event of his discharge from service before complete repayment of loan, the outstanding balance shall be recovered from him in one lump sum before discharge from duties

iv) No loan shall be granted to a Government servant who is due to be superannuated within a period of 5 years (in case of purchase of a Car) or 4 years (in case of purchase of Motor Cycle/Scooter etc ) from the date of issue of loan

(v) Every Government servant shall be required to execute an agreement in the prescribed form 'B with the Government whereby the Government shall acquire the right to recover the outstanding amount of loan with interest thereon advanced to him by the Bank as arrears of land revenue in case he does not fulfill his obligation to repay the loan to the Bank The agreement form shall remain in the safe custody of the Head of Office/ Head of Department until the whole amount of loan with interest thereon is fully paid and a clearance certificate to this effect is issued by the Bank

Rate of Interest — 3 The loan shall bear simple interest @ 8% p a calculated on the balance in the last day of a month

Repayment of Loan — 4 (i) The amount of loan shall be repayable in equated instalments of principal plus interest on monthly basis

(ii) **Condition of keeping minimum cash balance in Savings Bank Account** -Every Government servant who takes a loan from the Bank for purchase of a conveyance shall be required to keep a minimum cash balance equal to an amount which is sufficient to cover the repayment of at least three equated monthly instalments at the time of grant of loan to enable the Bank to credit the amount of equated instalments to his loan account by debiting the same to his Savings Bank Account on first of a month in cash the due instalments are not paid

by the officer himself or his disbursing offic r punctually on first of a month due to belated payment of pay and allowances to the loanee Government servants The Bank shall not permit with drawals from his Savings Bank Account, if the cash balance in his Savings Bank Account is equal to an amount necessary to cover repayment of three equated instalments or less The officer and the disbursing officer shall ensure that the due instalments are paid to the Bank as promptly as possible and in no case later than a period of three months

Hypothecation of conveyance

5 The conveyance purchased with the a d of Bank loan shall be considered property of the Bank until loan with interest thereon is fully repaid and it shall be hypothecated to the Bank Stamp duty payable on the hypothecation documents shall be borne by the Government

Insurance of conveyance

6 The loanee shall have the option either to contribute towards the Rajasthan Advance Hazard Fund or have the vehicle insured on comprehensive basis with the L I C of India or its subsidiaries If a conveyance covered by the Advance Hazard Fund is damaged to the extent that it has to be sold by the Government as scrap, and the scrap value received by the Government is less than the outstanding loan against the loanee, the difference shall b a charge on the Fund and the outstanding amount of loan shall be paid to the Bank by the Government

Area of operation

@ '7 The scheme shall ordinary be in operation at District Headquarters or at places where the approved Bank has its branches but the Government may also p rmit the approved Bank to advance loan to Government servants posted in districts where the approved Bank may not have its branches also Government enter into similar agreements with different Banks for different places in Rajasthan

## PROCEDURE FOR GRANT OF LOAN

Compulsory opening of Savings Bank

8 A Government servant who intends to obtain loan for purchase of conveyance shall be required to open a Savings Bank account with the approved Bank *before*

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@ Substituted vide F D order No F 1 (8) FD (R)/70 dated 23 12-70 and effective from 1-1 70

Account with approved Bank — making formal application for grant of loan for purchase of conveyance to the Head of office/Head of Department as the cash may be

Application for loan — 9 Application for loan shall be made in the prescribed form 'A' to the Head of office/Head of Department as the case may be who will examine the particulars furnished in the application and transmit the same to the Bank after recording his recommendation as to the amount of loan to be advanced to the Government servant for purchase of specified conveyance + (through the Collector of the district who shall countersign it )

Payment of loan amount by Bank — 10 The Bank shall grant loan to an individual Government servant and the Bank shall open a loan account in the name of each individual at the time of releasing money The Bank shall pay the amount direct to the dealer/person with whom the loanee has made arrangements to take delivery of vehicle on receipt of letter from the dealer/person intimating that conveyance is available for delivery to the loanee at a price mentioned in this letter

Intimation of release of loan — 11 The Bank shall immediately after making payment of loan amount, communicate the amount of loan and the date on which paid to the Head of Office/Head of Deptt from whom his application was received If the loanee is a gazetted officer a copy of this communication shall also be endorsed to the loanee officer and Treasury Officer of the District in which he is employed In all cases where loanee exercises option to contribute towards Rajasthan Advance Hazard Fund in lieu of insurance with L I C in respect of conveyance purchased with loan the Bank shall endorse a copy to the aforesaid communication to the Director, State Insurance Department, Rajasthan, Jaipur

## MODE OF RECOVERY

General — 12 (i) Every non gazetted Government servant who takes loan from the Bank shall be required to execute an agreement in the prescribed form permitting the Disbursing Officer to make monthly deduction out of his salary in cash on account of Bank loan dues

+ Added vide F D order No F 1 (8) FD (R)/70 dated 6-4-70 and effective from 1-1-70

**Commencement of repayment**

(ii) The first instalment of loan shall commence with the first issue of pay after the loan is advanced by the Bank

**Recovery procedure in case of gazetted Govt servants**

13 (i) A gazetted Government servant, who has taken a loan from approved Bank for purchase of conveyance shall endorse his pay bill in favour of the Bank which has granted loan to him, before presentation of the claim to the Treasury Officer for enfacement The Treasury Officer shall refuse to enface the pay order on the claim if the pay bill does not contain endorsement in favour of the Bank After enfacing the pay bill, he shall arrange to send to the Bank in whose favour endorsement has been made and obtain acknowledgement The loanee shall give a standing authority to the Bank to debit the amount of loan instalment to his Saving Bank Account on Ist of each month and credit the amount to his loan ccount with the Bank

(ii) In the event of transfer of an officer to a place in another district where the branch of Bank exists, the Bank shall transfer his Savings Bank Account to its branch at the place of officer s posting with instructions to remit the amount of loan instalment to it, if loan account can not be transferred to that branch The Treasury Officer while issuing L P C shall intimate to the Bank the complete details of his new posting

(iii) In case the officer is posted to a station or place where no branch of the Bank exists, it shall be the personal responsibility of the officer himself to remit the amount of due instalment in time to the Bank by means of money order or Bank draft or any other means or he may arrange to keep adequate balance in his Savings Bank Account to enable the Bank to pass entries in his Account on Ist of each month If he fails to do so, the Bank shall request the Collector of the district in which he is employed to direct the Treasury Officer to recover the amount of outstanding instalments from the pay bill of the officer and remit the same by means of Bank draft at his cost

**Recovery procedure in respect of Non gazetted Govt servants**

14 (i) The Head of Office/Head of Department or Disbursing Officer in the case of Non gazetted Government servants shall be personally responsible for effecting recovery on account of conveyance loan in cash from the Government servant at the time of disbursement of pay and allowances and remitting the same to the Bank for

credit to his loan account either direct or through Savings Bank Account as the Bank may decide by means of a challan given in from 'B and shall obtain acknowledgement for keeping it in his safe custody

(ii) A register of loans advanced by Bank for purchase of conveyance to Government servants shall be maintained by each Head of Office in the prescribed form 'C' In the event of transfer to another office details of loan viz Amount of Loan, amount of monthly instalment, number of instalments and outstanding balance shall be indicated in L P C and full particulars of the new posting shall be intimated to the Bank.

(iii) In the case of transfer of a Non gazetted Government servant to a place in another district where the branch of the Bank exists the procedure outlined in para 13 (ii) shall be followed.

(iv) If the Non gazetted Government servant is transferred to a place where there is no branch of the Bank the Head of Office/Disbursing Officer under whom he is employed shall effect recovery on the basis of particulars shown in the L P C and arrrange to remit the money to the Bank by means of Bank draft on Government account (free of charge) and obtain acknowledgement

15 If a Government servant who has taken loan from Bank for purchase of conveyance under this Scheme is appointed in a Public Sector Undertaking/Corporation/Autonomous Body etc either by direct recruitment or transfer of services, he shall not be relieved from the post under Government unless the concerned puicbl sector Undertaking corporation etc gives an undertaking in writing to the effect that it agrees to recover the complete amount of outstanding loan with interest thereon from the loanee by deduction from his salary at source and to remit the same to the Bank in accordance with the procedure laid down in the Scheme A clause to this effect shall invariably be inserted in the order sanctioning the transfer of services of such Government servants

FORM 'A

GOVERNMENT OF RAJASTHAN

**Application for loan for purchase of a conveyance**

1 (i) Name and age
(next birthday)

(ii) Whether temporary or permanent

2. Designation

3. Permanent Residential address

4. Name of Department in which employed

5. Monthly substantive pay and officiating pay (if any)

6. Date of retirement

7. Kind and approximate value of conveyance proposed to be purchased

8. Amount of loan asked for

9. Conveyance advance if already drawn, the number and date of the order sanctioning it (attach a true copy) and the date on which it was fully repaid.

10. Whether officer agrees to insure Car/Jeep/Scooter/Motor Cycle etc. at his own expenses on comprehensive basis with the L. I. C. or its subsidiaries or to contribute towards Rajasthan Advance Hazard Fund maintained by the State Insurance Department.

11. Date of opening of Savings Bank account with the Bank approved by Government for granting loan and the No and Ledger Folio No. of Savings Bank Account.

## DECLARATION

1. I hereby bind myself to use the money for the purpose I have applied for and in strict compliance with rule laid down for purchase of conveyanee by the Rajasthan Government.

2. I hereby agree that in the event of resignation' termination, dismissal, removal or compulsory retirement from service or death before complete repayment of advance with interest thereon the Government shall be free to

recover, the outstanding amount of loan and interest thereon from the amount of death-cum-retirement gratuity/bonus of Government contribution to contributory provident fund or leave salary or any other emoluments payable to me on or after the date of occurrence of any of the aforesaid mentioned circumstances, for making payment to the Bank which advanced me the loan for the purchase of the conveyance

Witness — Signature of the Govt servant

1 ———— Designation—(official seal)

2 ———— Name of Deptt

Date

GOVERNMENT OF RAJASTHAN

DEPARTMENT

No Dated

Dear Sir,

I have examined this application for loan for purchase of a . and having been satisfied as to the necessity and the amount admissible to him under rules framed by the Government I recommend that a sum of Rs Rupees may be advanced to Shri as loan for purchase of after completing usual formalities It is certified that the applicant has executed the agreement in the prescribed form and the same has been found to be in order His savings Bank Account Number is

*2 Shri is a temporary Government servant and an acceptable Surety of a permanent Government servant has been obtained in the prescribed form 'D' as required under clause (iv) of para 2 of the Scheme It is also certified that he is likely to continue in service till the whole amount of loan with interest thereon is repaid to the Bank.

Yours faithfully,

( )

Signature & Designation

Official Seal

To

The Manager/Agent

————————

————————

( *Strike out if it is in applicable )

Appendix C'

FORM 'B

FORM OF CHALLAN

No

Dated

Please credit a sum of Rs (Rupees—— ——)
as particulars given below —

| Name of Loanee | S B A/c No /Ledger Folio No | Loan A/C Number/ Ledger Folio number |
|---|---|---|
| 1 | 2 | 3 |

| No of instalments | Amount of equated instalment |
|---|---|
| 4 | 5 |

Signature of the Disbursing Officer

Designation
Official Seal

Received Rs (Rupees————) as per particulars given above

Seal of the Bank MANAGER
Date

INSTRUCTIONS

1 This form shall be used for remitting the amount recovered in cash from the salary of the nongazetted Government servants on account of instalments of loan taken from the Bank

2 S No and date of the Register of Challan shall be indicated in the Challan A separate Register of Challan distinct from the Register of Challan used for remittance of Government money into Bank shall be maintained for this purpose

3 The duplicate copy of the receipted challan shall be kept in guard files in the custody of the Disbursing Officer

Appendix 'C'

FORM 'C'

**Register of loans granted to Government servants by the Bank for purchase of conveyance**

| S No | Date of receipt of application | Name of applicant, designation and department |
|---|---|---|
| 1 | 2 | 3 |

| Permanent Residential Address | Date of retirement |
|---|---|
| 4 | 5 |

| Substantive/Officating pay on . | Kind of conveyance proposed to be purchased |
|---|---|
| 6 | 7 |

| Amount of loan | | Whether consent is given to insure vehicle with LIC or to contribute towards Advance Hazard Fund. |
|---|---|---|
| Asked for | Recommended | |
| 8 | 9 | 10 |

| Date on which agreement in prescribed form executed | No & date under which application sent to Bank |
|---|---|
| 11 | 12 |

| No & date of Bank intimation of issue of loan | Amount of Monthly equated instalment |
|---|---|
| 13 | 14 |

| Repayments | | | Remarks |
|---|---|---|---|
| Challan No | Date | Amount | |
| 15 | 16 | 17 | 18 |

INSTRUCTIONS

1 This register shall be maintained by each Head of Office/Head of Department/Disbursing Officer

2 Columrs No 1 to 14 are self explanatory and enteries in these columns shall be filled in all cases by the Head of Office/Head of Department In colmuns No 15 to 17 the details of repayment of monthly instalment paid into the Bank by effecting recovery from pay bills of non gazetted Government servants shall only be shown, indicating Challan No Date & amount paid under the dated initials of Head of Office In support of entries in Columns 15 to 17 a receipted copy of Challan shall be kept

3 If the Government servants is transfered/posted to another office or station a copy of this register may be sent to the new Head of Office/Head of Department as the case may be reques ting him to continue to effect recovery of the outstanding loan amount and to arrange for its remittance to the concerned Bank under an intimation to the Bank which advanced the loan to the Government servant

4 If the applicant is a temporary Government servant a remark to the effect that an acceptable Surety of a permanet Government servant has been obtained in the prescribed form may be given in Column No 18

FROM 'D

GOVERNMENT OF RAJASTHAN

**Form of Bond with Surety to be executed by a permanent Government servant before grant of loan for purchase of Motor Cycle/Scooter/Mopeds etc to a temporary Government servant by the Bank under Government repayment Guarnatee**

This Bond made by son of in favour of the Governor of Rajasthan (hereinafter called the Government)

WHEREAS I of , have, under the provisions of the Rules to regulate the grant of Advances to Government servants for the purchase of conveyance (hereinafter referred to as the said Rules which expression shall include any amendments thereof for the time being in force), applied to the Bank of for a loan of under unconditional repayment Guarantee furnished by the Government to the Bank by means of Guarantee Deed, for purchase of (Name of conveyance) and

WHEREAS on my request Shri of has agreed to stand as surety for me for the re payment of the said loan

**Now this Bond witnesses as under —**

That I (aforesaid) acknowledge my indebtedness to

the Government in the sum of Rs to be advanced by the Bank named above under the Government Guarantee and that I hereby agree to repay the same to the Government together with interest thereon due and owing in accordance with the said Rules and the terms and conditions to be seperately signed by me as Agreement which will be executed in the from prescribed by the Government for the aforesaid loan amount

Station Signed by Borrowrr

Dated Designation —

In the presence of-1st Witness

Signature

Occupation

Address

2nd witness

Signature

Occupation

Address ..

In consideration of the loan of a sum of Rs to be granted by the Bank to the said Shri I of (hereinafter called the surety, which expression shall include my heirs administrators executors and legal representatives) hereby stand as Surety for the re payment of the said loan to the Government with interest in accordance with the Rules In case the said sum to the Bank, I, the said Shri shall without objection pay the said dues of the Bank on demand to the Government or to the Bank through Government as may be directed

In witness whereof I here unto have set my hands day of one thousand nine hundred and sixty

Station Signed by Surety

Dated Occupation

Address

In the presence of 1st Witness

Signature

Occupation

Address

2nd Witness

Signature

Occupation

Address

---

Accepted by me on behalf of the Government

Station Signature

Dated Designation

# FORM 'E'

# GOVRNMENT OF RAJASTHAN

**Form of Agreement to be executed at the time of making an application for obtaining loan from the Bank for the purchase of conveyance**

An Agreement made on day One Thousand *Nine Hundred and* between Shri Designation Department (hereinafter called the Borrower, which expression shall include his heires administrators executors and legal representatives) of the one part and the Government of Rajas han (herein after called the Government which expression shall incluoe their successors and assignees) of the part

Whereas the Borrower has under the provisions of the Rules to regulate the grant of advances to Government seavants for purchase of con veyance (hereinafter referred to as the said Rules which expression shall include any amendments thereof addition thereto for the time being in force) applied to the (Name of Bank) through Government for a loan of Rs for the purpose of conveyance on the terms and conditions provided in the said rules and whereas the Governer has agreed to give guarantee to the Bank for re payment of loan of Rs advanced to the Borrower on the terms and conditions hereinafter contained

Now it is hereby agreed between the parties hereto that in consi deration of the sum of paid by the Bank under Government guarntee to the Borrower (the receipt of which the Borrower hereby acknow ledges) the Borrower hereby agrees with the Government (1) to pay the Govern ment the said amount with the interest calculated according to the said Rules by monthly deduction from his salary as provided in the said Rules and hereby authoris s the Government to make such deductions and

(2) to execute a document hypothecating the said conveyance to the Bank as security for the amount lent to the Borrower as aforesaid in the form and manner provided by the Bank Rules and

(3) to insure the said conveyance against damage or loss on com-prehensive basis with L I C or its subsidiaries or to contribute towards Rajasthan Advanced Hazard Fund in accordance with Rajasthan Advance Hazard Fund Rules approved by the Government

(4) to pay the Government any sum accuring to the Borrower under the insurance on account of any loss or damage to the conveyance during the currency of these presents

AND it is hereby lastly agreed and declared that if the Borrower within that period becomes insolvent or quits the service of the loan and interest acc ued thereon shall immediately become due and payable and the

Governor shall have the right to recover the outstanding amount of loan with interest accrued thereon from the Borrower as areas of land revenues in consequence of the repayment guarantee executed by the Government to the Bank for the loan of Rs advanced to the Borrower

In witness whereof the Borrwer and———————for and on behalf of the Governor or Rajasthan have hereunto set their hands, the day and year first before written

Signed by the aforesaid Borrower in the presence of

1st Witness —

Signature
Occupation
Address

2nd Witness —

Signature
Occupation
Address

Signed by on behalf of the Governor of Rajasthan

Signature

Designation

In the presence of

1st Witness —

Signature
Occupation
Address

2nd Witness —

Signature
Occupation
Address

# Festivals Advance

The Governor has been pleased to make the following rules to regulate the grant of Festival Advance to Government servants on eve of important Festivals, namely :—

**Rule 1 :—Admissibility & Commencement .—**

( i) The Festival Advance shall be granted to non-gazetted Government servants only "

These orders take effect from the date of issue.

[Finance Department Order No F. 1(17)FD/Rules/70, dated 30-3-1978]

(ii) These rules shall be deemed to have come into force with effect from 1-4-1970.

2 **Amount of Ad ance** —The amount of anvance shall be Rs. 100/- which shall be admissible on one occasion in a Calendar year.

**Rs. 100/- substituted vide F 1(17) F.D (Rules) 70 dated 28-2-77 and made effective from the same date .**

3. **Conditions for Grant of Festival Advance :**—The grant of Festival Advance shall be subject to the following conditions :—

( i) No advance shall be sanctioned till the previous advance, if any, has been recovered in full.

(ii) The amount of advance shall be recovered in not more than for equal monthly instalments. The first instalment shall commence with the next month's pay bill i. e. the pay bill of the month following that in which the advance is drawn. The amount of each instalment shall be in whole rupees, balance being recovered in last instalment.

(Issued vide order No F 1(17) FD (Rules) 70 dated 20-4-1970)

(iii) Advance to temporary Government servants shall be sanctioned only after obtaining surety from a permanent servant or any other form of security of adequate value by the sanctioning authority. The sanctioning authority may, however, dispense with this requirement in case of temporary Government servants who have completed three years continous service and are is likely to continue in service till full repayment of advance.

(iv) Temporary Government servants who are not likely to continue in service for a period of at least six months beyond the month in which the advance is paid should not be granted advance

(v) The Festival Advance shall be admissible only on one occasions in a calendar year, the occasions should be fixed by Heads of Departments concerned after taking into consideration the importance attached locally to such festivals by members of each community and also in consultation with recognised staff associations if any

4 **Authority competent to sanction advance** —The Head of Offices shall be competent to sanction these advances

5 **Accounting Procedure** —(i) The Head of Office will draw the amount in Form G A 76 (Establishment pay bill form) duly supported by the sanction accorded by him

(ii) Tho payments on account of Festival Advance will be accounted for under the Head T-Deposits and Advances Pt -III Advances not bearing interest-A Departmental Advances A Civil Advances" The Drawing Officers should classify the bills accordingly To facilitate the sorting of vouchers in the Treasury, the Major head of account to which the pay and allowance of the incumbents mentioned in the bill are debitable should be conspicuously indicated at a suitable place on the first page of the bill

(iii) The total amount of the advance drawn will be intimated to the Head of Department by each Head of Office in the 1st week of the following month

(iv) The Head of office will be responsible for effecting recoveries as and when they fall due They should maintain a register in G A Form 185-A to watch the recoveries on account of the advances Columns 1 to 4 should filled as soon as the bill is drawn for payment of festival advance or the Last Pay Certificate indicating some balance of the advance is received from another Office/Disbursing Officer The recoveries as and when made from the pay bills should be noted in Columns 6 to 17 In case the recoveries are made in cash and deposited into the Treasury a suitable indication should be given in the Remarks column to facilitate reconciliation Similarly, the reasons for the non recovery of any amount which should have been normally recovered, should be indicated briefly in the Remarks column e g "Pay not drawn", "Transfered to "

(v) In support of the deductions the drawing officer should attach to the pay bill concerned a schedule of Recoveries in the Form G A 87 A which shall be prepared in three parts

(vi) The recoveries appearing in the bills will be adjusted by the Treasury Officer by transfer credit in relaxation of the provisions of Article [illegible] nt Code Volume II The Treasury Officer while passing the

establishment pay bills for payment will take the recoveries to the relevant receipt head in the treasury accounts and prepare a schedule showing office-wise recoveries in duplicate The original covering leschedu with the supporting schedule from the head of offices will be sent by the Treasury Officer to the office of the Accountant General with the monthly cash accountant in support of the credit given to the Head of account and the duplicate will be retained by him as an office copy The Treasury Office will also record a certificate on the covering schedule sent to the Office of the Accountant General to the effect that the amount shown herein tallies with amount entered in the Treasury accounts under the relevant head

(vii) The monthly Abstracts of intital accounts in respect of Festival Advance in the proforma given in Annexure A' shall be sent by each drawing officer to the Accountant General, Rajasthan and the Head of Department in the first week of the following month to which the transactions relate The Head of Department shall arrrnge reconciliation with figures in the office of the Accountant General, Rajasthan on the bassis of aforesaid statement

(viii) When a Government servant is transferred to another office, the amount of the advance paid, the treasury voucher number and date of payment, the number of instalments recovered to date, designation of the Drawing and Disbursing Officer should be mentioned in the Last Pay Certificate The later office will take the outstanding balance of the advance in its own register and watch the recoveries The former officer, while intimating the balance to the later should send an intimation to the office of the Accountant General and also for the correction of the balance against the officer concerned

(ix) Head of office shall produce the initial accounts of the Festival Advance for test check at the time of local audit of a particular office by the party of Accountant General, Rajasthan, Jaipur

By Order
एम मुकर्जी

*Financial Commissioner and*
*Secretary to Government*

## ANNEXURE 'A'

### Monthly Abstract to be furnished by the Drawing Officer

| Name of the Office | Major Head to which the pay of Establishment is debitable. | | |
|---|---|---|---|
| Rs. | Rs. | Rs | Rs. |
| X Advances drawn in this office during the month. | A | D | ......... |
| *Add* | | | |
| Outstanding advances transfered from other offices during the month. | *B | | |

| | | Rs. |
|---|---|---|
| *Office of the | X | a |
| -do- | Y | b |
| -do- | Z | c |

*Deduct*

Advances transferred to other offices during the month.

**Office of the R d

# Rules for the
# Grant of Foodgrains Advance

*The Governor has been pleased to make the following rules to regulate the grant of Foodgrains Advance to the Government servants, namely:—

**1. Admissibility & Commencement :**

(1) The Foodgrains Advance shall be admissible to Government servants in receipt of pay not exceeding Rs. 650/- p. m. Pay for the purpose of this rule shall mean pay as defined in rule 7 (24) of Rajasthan Service Rules, but exclude Personal Pay, Special Pay and Dearness Pay.

(2) These rules shall come into force with effect from 1-1-1971.

**2. When Not Admissible :**

It shall not be admissible to a temporary Government servant who has put in less than two years continuous service and also to a Government servant under suspension.

**3. Amount of Advance :**

The amount of advance shall be equal to one month's emoluments of the Government servant subject to a minimum of Rs. 200/- and the maximum of Rs. 500/- The term 'emoluments' for the purpose of this rule shall mean substantive pay, and officiating pay dearness allowance only.

**4. Conditions of Grant of Foodgrains Advance**

(1) No advance shall be sanctioned till the previous advance, if any has been recovered in full.

(2) Advance shall be admissible and paid only during the period from 15th April to 15th August of a calendar year.

(3) (a) Every Government servant who takes advance shall produce a receipted and stamped voucher from the firm or the dealer from whom the foodgrains are purchased within a period of two months from the date of drawal of the advance in token of the proof that advance has been utilised. The receipted voucher should indicate quantity of the food grains purchased, rate and the total amount paid

(b) In case foodgrains are not purchased within the period prescribed in sub-clause (a) of this clause, the entire amount of advance together with penal interest of 9% p. a shall be repaid in one instalment and it shall be recoverd from his pay bill immediately thereafter. The unutilised balance of the Foodgrains advance shall also become repayable immediately after the purchase of foodgrains in one instalment and it shall be recovered from his next issue of pay.

*[Issued vide F.D. order No. F. 1(63) FD (Rules) 70 Dated 24-11-70.]

(9) Head of office shall produce the initial accounts of the Foodgrains advance for test check at the time of local audit of a particula office by the party of Accountant General, Rajasthan

(10) These rules shall supercede the existing orders issued on the subject from time to time

## APPENDIX I

### REGISTER OF GRAIN ADVANCE

| Name of the Government servant | Designation | Amount of advance sanctioned | Reference of sanction Number and Date |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

| Bill Number and date of payment | Name of month in which recovery made | [1][Pay bill] Establishment pay bill Number and date | Amount Recovered |
|---|---|---|---|
| 5 | 6 | 7 | 8 |

| Balance | Remark |
|---|---|
| 9 | 10 |

## APPENDIX II

### Monthly abstract to be furnished by the Drawing Officer

Name of the Office — Major Head to which the pay of [2][the Gazetted officer]/Establishment is debitable ]

| Rs | Debits | Credits | Closing balance. |
|---|---|---|---|
| Rs | Rs | Rs. | Rs. |
| X Advances drawn in this office during the month | | | |

1 [Inserted vide F D, order No F 1 (63) FD (Rules)70, Dated 13-4-71].
2 [Substituted vide F D order No F 1 (63) FD (Rules)70, Dated 13-4-71]

**ADD**

Outstanding advance transferred from other office during the month. B*

| | | |
|---|---|---|
| | Rs. | |
| * Office of the X | a | ) |
| -do- Y | b | ) |
| -do- Z | c | ) |

**Deduct**

Advances transferred to other offices during the month. C**

| | | |
|---|---|---|
| ** Office of the R | d | ) |
| -do- S | e | ) |
| -do- T | f | ) |

| | | C. B. |
|---|---|---|
| A+B+C | D | X+(A+B-C)-D |

**Order**:—The Governor has been pleased to order that the Government servants shall be granted Foodgrains Advance during the financial year 1974-75 in accordance with the rules regulating grant of Foodgrains advance issued vide Finance Department Order No. F.1 (63)/FD (Rules)/70/ dated 24-11-70 and as amended from time to time, subject to the following modifications :—

(1) The advance shall be admissible to Government servants in receipt of pay not exceeding Rs. 500/- p m. instead of Rs. 650/-p. m. as provided in rule 1 (1) of the aforesaid rules.

(2) The amount of advance shall be equal to one month's emoluments of the Government servants subject to a maximum of Rs. 300/-.

(3) Simple interest @ 7½% per annum shall be charged on the amount of advance.

(4) The amount of advance together with interest thereon shall be recoverable in 6 monthly instalments.

2. Accordingly, the provisions contained in Rules 1 (1),3 ,4 (5) and 4 (6) of Rules regulating grant of Foodgrains Advance to Government servants as amended from time to time shall be deemed to have been modified to the extent indicated in para 1 above.

3. The Finance Department order of even number dated 8-3-73 withdrawing the facility of grant of Foodgrains Advance w. e. f. 1-4-73 is hereby revoked.

4. These orders take effect from 15-4-74.

(No. F. 1 (63)/FD (Rules)/70 Dated Jaipur, the 17 April 1974)

**Order** :—The Governor has been pleased to order that the Government servants shall be granted Foodgrain Advance during the financial year 1975-76 in accordance with the rules regulating grant of Foodgrain Advance issued vide Finance Department Order No. *F. 1 (63) FD (Rules)/*70 dated 24-11-1970 and as amended from time to time, subject to the following modifications :—

(1) The Advance shall be admissible to Government servants in receipt of pay not exceeding Rs. 500/- p. m. instead of Rs. 650/- p. m. as provided in rule 1 (1) of the aforesaid rules.

(2) The amount of advance shall be equal to one month's emoluments of the Government servant subject to a minimum of Rs. 250/-and the maximum of Rs. 300/-

(3) Simple interest @ $9\frac{1}{2}\%$ per annum shall be charged on the amount of advance.

(4) The amount of advance together with interest thereon shall recoverable in 8 monthly instalments.

(5) A Government servant who is granted advance for purchase of foodgrain in terms of these orders is exempted from production of receipt for purchase of foodgrains as required under clause (a) of sub-rule (3) of rule 4. He shall, however, give the following certificate :

CERTIFICATE

"I .. (name & designation.........certify that I have purchased the foodgrains for the full amount of Rs. ................sanctioned to me as Foodgrains Advance."

2. Accordingly, the provisions contained in Rule 1 (1), 4, 4 (3) (a), 4 (5) and 4 (6) of Rules regulating grant of Foodgrain Advance to Government servants as amended from time to time shall be deemed to have been modified to the extent indicated in para 1 above.

3. These orders take effect from 15-4-1975.

(No. F. 1 (63) FD (Rules)/70 Dated Jaipur, the 17th April, 1975)

Sub :—Rules for grant of Foodgrains Advance.

The Governor has been pleased to order that the Government servants shall be granted Foodgrains Advance during financial years 1977-78 in accordance with the rules regulating grant of Foodgrains Advance issued vide Finance Department Order No. F. 1 (63) FD (Rules)/70 dated 24-11-1970 and as amended from time to time, subject to the following modi*fications* :—

(1) The Foodgrains Advance shall be admissible to Government servants in receipt of pay not exceeding Rs. 950/-p. m. pay for this purpose

shall mean pay as difined in rule 7 (24) of Rajasthan Service Rules but excludes Personal Pay and Special Pay

(2) The amount of advance shall be equal to one month's pay of the Government servant subject to a minimum of Rs 2,0/ and the maximum of Rs 300/-pay for this purpose s'-ll mean pay as defined in rule 7 (24) of Rajasthan Service Rules but excludes Personal Pay and Special Pay

(3) Simple interest @ 9½% per annum shall be charged on the amount of advance

(4) The amount of advance together with interest thereon shall be recoverable in 8 monthly instalment or by 28th February of the financial year whichever is earlier

(5) A Government servant who is granted advance for purchase of food grains in terms of these orders is exempted from production of receipt for purchase of foodgrains as required under clause (a) of sub-rule (3) of rule 4 He shall, however, give the following certificate —

CERTIFICATE

'I (Name & designation
the foodgrains for the full amount of Rs
grains Advance "

2 Accordingly the provisions contained in Rule 1 (1), 3, 4 (3) (a) 4 (5), and 4 (6) of Rule regulating grant of Foodgrains advance to Government servants as amended from time to time shall be deemed to have been modified to the extent indicated in para 1 above

3 These orders to take effect from 15-4-1977

[Finance Department Order No F 1 (63) FD (Rules)/70, dated 30-3-1977]

Sub —Rules for grant of Foodgrains Advance

In supersession of Finance Department Order of even number dated 27-3-1968, the Governor has been pleased to order that the Government servants shall be granted Foodgrains Advance during the financial year 1978-79 in accordance with the rules regulating grant of Foodgrains Advance issued vide Finance Department Order No F 1 (63) FD (Rules)/70, dated 24-11-1970 as amended from time to time read with Finance Department Order of even number dated 30 3-1977 subject to the modification that the maximum amount of Foodgrains Advance under the aforesaid rules shall be of Rs 400/-instead of Rs 300/-

[Finance Department Order No F 1 (63) FD/Gr 2/70, dated 19-4-1978]

Sub —Rules for grant of Foodgrains Advance

The Governor has been pleased to order that the Government servants shall be granted Foodgrains Advance during the financial year 1979-80 in accordance with the rules regulating grant Foodgrains Advance

issued vide Finance Department Order No F. 1 (63) FD (Rules)/70 dated 24-11-1970 as amended from time to time read with Finance Department Order of even number dated 30-3-1977

The amount of Foodgrains Advance shall be equal to one month's pay subject to a minimum of Rs 250/- and the maximum of Rs 400/-

[Finance Department Order No F 1 (63) FD/Gr 2/70, dated 23-4-1979]

Sub —Rules to regulate the grant of food grain advance to the Government servants

The Governor has been pleased to order that the Government servants may be granted foodgrain advance under the rules regulating grant of foodgrain advance to Government servants equal to one month's pay subject to a minimum of Rs 250/- and the maximum of Rs 500/-.

These orders shall take effect from 15-4-1980

[Finance Department Order No F 1 (63) FD/Gr-2/70 dated 27-12 79]

Order —Vide F D. No F. 1 (63) FD (Gr 2)/70 dated 16-4-1980 Government sanctioned Foodgrain advance as per the Rules issued by the F D order of even number dated 24-11-70 as amended from time to time read with F D order of even number dated 30-3-77 and 27-12-79 the amount was equal to one month's pay subject to a minimum of Rs 250/-and maximum of Rs 500/-

Order —The Governor has been pleased to order that the Government servant shall be granted Foodgrains Advance during the Financial year 1981-82 in accordance with the rules regulating grant of Foodgrains Advance issued vide Finance Department Order No F 1 (63) FD (Rules)/70 dated 24-11-1979 as amended from No F 1 (63) FD (Gr 2)/70 time to time read with Finance Department Order of even number 30-3-1977 and 27-12-1979

The amount of Foodgrains Advance shall be equal to one month's pay subject to a minimum of Rs 250/- and the maximum of Rs 500/- (FD Order dated 31-3-81)

# Rules for Grant of House Building Advances to Government servants

1 The Governor is pleased to make the following rules to regulate the grant of House Building Advances to Government servants —

## SECTION I

**Rule 1. Applicability** :—(1) These rules shall apply to permanent Government servants only including those on deputation to Panchayat Samities or Zila Parishads the Rajasthan State Electricity Board, Universities, Carporations, Local Bodies or other autonomous Institutions or Bodies and also to permanent Divisional Accountants

(2) They shall come into force with effect from lst April, 1970.

**Rule 2 Purpose for which House Building. Advance may be granted** :—(1) The House Building Advance shall be admissible to a Government servant for the following purposes :—

(i) To purchase land and to build a residential house thereupon.

(ii) To build a residential house on land already owned.

(iii) To purchase a residential house or own ownership rights in a Flat or tenement.

(iv) To rebuild, aftet demolishing an existing residential house which is dilapidated and beyond repairs and was not built or purchased with the aid of house building advance or loan under MIGH/LIGH Schemes.

(v) To effect repairs or make additions and alterations to an existing residential house.

(2) The term "residential house" means a building purchased or constructed mainly for the purpose of residence of a Government servant or his family at any one place in Rajasthan or at any one place in India in case of an officer of the All India Services and not for commercial purposes.

**Rule 3. General Conditions for Grant of House Building Advance** —
(1) The House Building Advance cannot be claimed as a matter of right.

**(Issued vide order No. F 1 (S) F D. (R) 70 dated 31-3-1970)**

(2) The house building advance shall be sanctioned to a Government servant only once during his service period for any of the purposes mentioned in clauses (i) to (iv) of Rule 2 (1).

(3) When both husband and wife are State Government servants and are eligible for the grant of house building advance under these rules, the house building advance shall be admissible to one of them only."

(Inserted vide Finance Department Order No F 1 (5) FD/Gr -2/70 dated 28-10-1976 )

(4) The house purchased or constructed or repaired with the aid of advance shall be considered to be the property of the Government until the advance with interest accrued thereon has been fully paid and it shall be mortgaged to the State as provided in these rules

(Sub rule (4) has been deleted vide F D order No F 11 (1) F D (Gr 2) 78 dated 25 4 81)

(5) (i) Simple interest at the rate fixed by Government from time to time shall be charged on the amount of advance Th interest shall be calculated on the balance outstanding on the last date of each month Where, in the event of death of a Government servant before complete repayment of advance with interest thereon, it becomes necessary to recover a part of advance or interest on the amount of advance by adjustment either against death-cum retirement gratuity or bonus or Government contribution to Contributory Provident Fund or leave salary or other emoluments payable after the date of death, the interest shall not be charged beyond the date of death of the Government servant on the amount of advance thus adjusted

*(ii) House Building Advance for the purposes mentioned in clauses (i), (ii) & (iii) of sub rule (1) rule 2 shall not be admissible to Government servant who owns a house at any once place in Rajasthan, and in the case of an office of the All India Services at any one place within India

Explanation —A Government servant who owns an ancestral house shall be deemed to be having his own house for the purpose of this rule

Provided that where a Government servant is sole owner or a joint owner of an ancestral house and the accommodation herein is in adequate for his use considering the size of his family and his status and no portion of the house is on rent, the Government servant shall not be deemed to be having a house for the purpose of this rule

(6) The grant of House Building Advance is subject to repayment in instalments through monthly pay bills or recovery of a part of advance by adjustment against death cum retirement gratuity in accordance with the provisions of these rules In case the Government servant does not repay the balance of advance due to Government on or before the date of his retirement, it shall be open to Government to enforce the security of the mortgage at any time thereafter and recover the balance due together with interest and cost or recovery, by sale of the house or in such manner as may be permissible under the law

* Added vide F 1 (5) F D (R) 70 dated 9-9-74

(7) A House Building Advance shall not be granted to a Government servant who is due to be superannuated within a period of five years from the date of issue of advance.

(8) House Building advance shall not be admissible to Government servant who has already taken loan under LIGH/MIGH Scheme."

(Substituted vide F 1 (5) FD (Gr-2) 70 dated 19-10-1977, made effective from 1-10-1977).

(9) The house built or purchased with the aid of advance shall be maintained in good condition by the Government servant and he shall ensure that it is kept free from all encumbrances. He shall also pay all municipal and local taxes regularly until the advance has been fully paid.

(10) A Government servant on completion or purchase of the house as the case may be, shall insure the house against risk of fire and lightening at his own cost, in accordance with the provisions contained in rule 8 of these rules.

(11) Advance given for construction of a house or for purchase of land and construction of a house thereon shall be deemed to have been completely utilised on the expiry of a period of 6 months from the date of drawal of last instalment unless specified orders have been passed by the sanctioning authority in a particular case owing to delay caused in completion of the house on account of circumstances beyond his control or for any other special reason

(12) Contravention of the provision of these rules shall render a Government servant liable to refund the whole amount in one instalment with compound interest (with yearly rest) at a penal rate which will be 2% above the rate of advance unless good reason is shown to the contrary. If the Government servant fails to refund the entire amount of advance in one lump sum the recovery shall be effected in such manner as may be permissible under law.

Note :—The existing sub-rule (2) of rule 3 shall be deleted and the existing sub-rule (3) to (13) shall be re-numbered as sub-rule (2) to (12) respectively.

The above amendments shall be deemed to have come into force with effect from 22-1-1977.

(Finance Departments Order No F 1 (5) FD (Gr. 2)/70, dated 15-2-1977 and corrected vide same No. dated 27-7-77)

Clarification :—The undersigned is directed to invite a reference to [illegible]

[illegible] building advance is not admissible to a Government servant who has already taken loan under L.I.G.H./M.I.G.H. Scheme with effect from 1-10-1977.

The matter has been examined and it is clarified that Government servants who have been sanctioned and paid loan under L I G H /M I G H Scheme either in full or in instalments prior to 1 10-1977 and who were eligible for house building advance under the house Building Advance Rules in force prior to 1 10-1977 shall continue to be Governed by the Rules in force prior to 1-10 1977 provided they had applied for grant of house building advance in the prescribed form to the competent authority before 1 10 1977

(Finance Department clarification No F 1 (5) FD (Gr 2)/70 dated 20 12 1977 )

1 **Admissibility of House Building Advance**

"3 (A) (i) The House Building Advance shall be admissible to a *permanent Government servant only subject to the* availability of funds

(ii) When both husband and wife are State Government servants and are eligible for grant of house building advance under these rules, the house building advance shall be admissible to both of them in their individual capacity for construction of a new house or purchase of a new house from Rajasthan Housing Board or any other such institution constituted under a law subject to the fulfilment of the following conditions —

(a) Title to land or house will be in the joint name of husband and wife

(b) The value of newly constructed or purchased house shall not be less than the amount of advance granted to both

(c) In case where house is constructed on the land already jointly owned or on a plot of land jointly purchased with the aid of advance the advance granted to both of them individually shall be utilised for the construction of a new house on one and the same plot

(d) The house purchased from Rajasthan Housing Board or any other like institution/authority constituted under a law shall be in the joint names of husband and wife as result of direct allotment to them "

(Inserted vide order No F 11 (1)FD(Gr 2) 78 dated 25 4-1981 and made effective on immediate basis)

Rule 4 —(1) The House Building Advance shall be granted to a Government servant upto the extent indicated below —

| Purpose of Advance | Amount of Advance | Maximum No of instalments of both principal & interest |
|---|---|---|
| **A Original Advance** | | |
| 1 To purchase land to build a residential house | Upto 60 months pay or Rs 70 000/- which ever is less | 240 |
| 2 To build a residential house on land already owned | | |
| 3 To rebuild a residential house after demolishing the existing one which is dilapidated and beyond repairs and was not built or purchased with the aid of house building advance or loan under LIGH/MIGH Schemes | | |
| 4 To purchase a residential house or own ownership right in a flat or tenament | | |
| **B Advances for repairs or additions & alterations** | | |
| 1 To an existing residential house not built or purchased with the aid of house building advance or loan udder LIGH/MIGH Scheme or built with the aid of house building advance taken previously from the Government of a covenanting State | *First Advance* Upto 10 months pay | 84 |
| | *Second Aduance* Upto 5 months pay but admissible only after the expiry of 5 years from the date of drawal of 1st advance for repairs, additions etc | 48 |
| 2 To an existing residential house built or purchased with the said of house building advance or with | *E rst Advance* Upto 7 months pay but admissible only after expiry of 5 years from | 72 |

| 1 | 2 | 3 |
|---|---|---|
| the aid of loan under LIGH/MIGH Scheme or with loan from both the sources. | the date of drawal of last instalment of advance provide that Government may grant repairs advance before the expiry of the period of 5 years where heavy damages has been caused to the house due to contingencies like heavy rains, flood, earthquake etc.<br><br>**Note** : In the case of Government servants whose pay scales have not been revised with effect from 1-9-1976 or who are not governed by the Rajasthan Civil Services (Revised New Pay Scales) Rules, 1976 the first repairs advance upto 9 months pay shall be admissible to them.<br><br>*Clarification* :<br><br>In case where a rosidential house has been built or constructed with the aid of loan under LIGH/MIGH Scheme only the period of 5 years referred to above shall be reckoned from the date of drawal of last instalment of loan under LIGH/MIGH Scheme.<br><br>*Second Advance* :<br><br>Upto 5 months pay put 48 admissible only after the expiry of 6 years | |

| 1 | 2 | 3 |
|---|---|---|
| | from the date of drawal of 1st advance for *repairs, additions etc*<br><br>Provided that the total cost of the house/flat proposed to be constructed/purchased (inclusive of the cost of land as mentioned in sale/lease deed of land/house/flat) shall, in case of Govarnment servants drawing pay more than Rs 1,000/- p m *not* exceed 60 times the monthly pay of a Government servant or Rs 1,25,000/- whichever is less, and in case of a Government servants drawing pay of Rs 1,000/-p m. or less, the aforesaid ceiling shall not exceed Rs 60,000/- even though it may exceed 60 times of their monthly pay, and that the above ceiling shall also apply in cases where advance is granted for enlarging living in accommodation, an existing house owned by the Government servant " | |

Note —Rule 4 (1) and all the condition there under have been substituted vide F D. order No F 1(5) FD (Gr 2) 70 dated 19-10-77 *and made* effective from 1-10 1977.

[1]"Provided further that the total cost of the house/flat proposed to be constructed/purchased (inclusive of the cost of land as mentioned in sale/lease deed of land/house/flat) shall, in case of Government servants drawing pay more than Rs 500/– p m , not exceed 75 times the monthly pay of a Government servant or Rs 1,25 000/–[2] whichever is less, and in case of Government servants drawing pay of Rs 500/– p m. or less the aforesaid ceiling shall not exceed Rs 30,000/- even though it may exceed 75 times their monthly pay; and that the above ceiling shall also apply in cases where advance is granted for enlarging living accommodation in an existing house owned by the Government servant "

(2) The amount of advance admissible under sub rule (1) above shall be subject to the following further conditions

(i) For the purpose of calculating advance, the term 'pay' used in this rule shall mean substantive pay, personal pay, officiating pay (excluding officiating pay drawn in leave vancancy or for definite short period only) and does not include special pay or dearness pay

(ii) The actual amount of advance and number of instalments will be determined in each case keeping in view a Government servant's capacity to repay the entire amount of advance with interest thereon upto the date of retirment

(iii) For purchase of a plot an amount equal to 75% of the cost of plot or 16 [3]months pay whichever is less shall be admissible subject to adjustment against the total amount of House Building Advance admissible under these rules

(iv) The first advance and 2nd advance for repairs, additions and alterations shall be admissible even when original advance remains outstanding but there should be no overdue instalments in respect of previous advance or advances

(3) (i) A Government servant who had already been sanctioned house building advance for any of the purposes mentioned in sub rule (1) of this rule before 1–10–1977 but had drawn the advance so sanctioned either in part or in full shall continue to be governed by the rules in force prior to 1–10–77.

(ii) Government servants who had already drawn one or more instalments of House Building Advance alongwith the instalment of loan under LIGH/MIGH Scheme shall continue to be governed by the rules in force prior to 1–10–1977

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1 Substituted vide F D Order No F 1 (5) FD (Rules) 70 dt 25 9-74

2 Rs 1 25,000/– substituted vide order of same number (as of I) dated 18-2-77

3 16 months made vide F D order dated 8-7-76

(iii) Government servants who have been sanctioned house building advance under House Building Advance Rules or loan from LIGH/MIGH or from both sources prior to *1-10-1977 shall not be governed by the* provisions contained in subrule (1).

(iv) The rate of interest on the amount of advance sanctioned under this sub-rule shall be the rate in force at the time of issue of sanction and it shall be subject to the completion of all formalities required to be observed under these rules.

The above amendments come into force with effect from 1-10-1977. (Substiuted vide Finance Department order No. F1 (5) FD (Gr.2)/70 dt. 19-10-1977.)

5. **Repayment of Advance** :—(1) Notwithstanding the provisions contained in rule 4, a Government servant shall have the option to repay the original advance in monthly instalment by way of recovery from pay bills in the manner indicated below:

(i) Out of the total principal and interest payable till date of retirement an amount equal to about 12 months pay shall be kept for adjustment against Death-Cum-retirement Gratuity or special contribution in case of persons *governed by Jodhpur Contributory Provident Fund Rules and the rest* divided into equal number of monthly instalments payable till date of retirement.

*(ii) The option shall be exercised at the time of making application or on any date subsequent to drawal of advance. In cases where option is exercised on any date subsequent to drawal of advance, the amount equal to 12 months pay calculated under clause (i) of this sub-rule for adjustment towards retirement benefit shall be computed with reference to pay admissible to the Government servant on the date of option provided that the amount of death cum-retirement gratuity or special contribution in case of members of Jodhpur Contributory Provident Fund that would be payable to him on retirement or death is not likely to fall short of the amount of partial advance adjustable against retirement benefits. A Government servant who has been granted House Building Advance prior to 1-4-1970 and has not exercised option in this regard may also, if he desires, exercise option under this sub-rule.

@"(2) A Government servant who has not exercised option to repay the original amount of advance by way of adjustment against death-cum-retirement-gratuity or special contribution in case of persons governed by Jodhpur Contributory Provident Fund under sub-rule (1)of this rule may, at his option, repay the half of amount of advance for repairs or additions and alterations granted under sub-rule (1) of rule 4 of these rules by adjustment against death-cum-retirement-gratuity or special contribution in case of a member of Contributory Provident Fund in the same manner as laid down in respect of original advance under sub-rule (1).

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* Amended F.D. Order No. F. 1 (5) FD (R)/70 dt. 20-7-71.

@ Inserted vide F.D. Order No. F. 1 (5) FD (R)/70 dt. 25-1-71.

(3) The actual amount of advance will continue to be determined in each individual case, keeping in view the capacity to repay the entire amount of advance with interest thereon upto the date of retirement and after taking into account such gratuity as may be admissible to the Government servant concerned The sanctioning authority may first work out of the amount of gratuity admissible to a Government servant, roughly based on his 12 months 'pay' as admissible to him in the scale of pay of the post held by him There after interest on the total loan advance shall be worked out as under —

$$\text{TOTAL INTEREST} = X + \frac{N\ (A + L)}{2}$$

N–Total whole number of month available from the month of commencement of recovery to the month of retirement

A–Interest for one month on total loan

L–Interest for one month on the last instalment

X–Interest on different instalments from the date of advance to the month of commencement of recovery

The amount recoverable from the Government servant from the commencement of repayment till retirement of the Government servant shall be arrived at by adding the interest to the principal sum and deducting the amount adjustable against gratuity of the Government servant

Where a part of the advance sanctioned is to be wiped off by adjustment from gratuity no interest will be recovered on the principal amount of outstanding advances beyond the date of retirement

**Rule 6 —Authorities empowered to Sanction House Building Advances —** The power to sanction Houe Build ng Advance ard to accord sanction for permission to sale or dispose of the house purchased or built or repaired with advance taken from Government under these rules, shall vest in the authorities mentioned below

| | | |
|---|---|---|
| @(1) Department of Personnel | (i) | Full powers in respect of all Government servent posted in the Secretariat, Rajasthan Legislative Assembly, Governor s Secretariat and Lokayukta Sachivalaya |
| | (ii) | Full powers in respect of Officers of All India Sevices |
| (2) High Court | | Full powers in respect of R J S Officers and High Court Subordinate Courts Staff |
| (3) Collectors | | Full powers in respect of all other Government servants, subject to the con- |

(@Substituted vide Finance Department Order No F 1 (5) FD/Rules/70, dated 8-9-1976)

dition that advance for house building should be sanctioned by the Collector of the District in which the house is to be constructed, purchased or repaired.

**Rule 7 Execution of Mortgage Deed** – (1) To secure the Government from loss consequent upon a Government servant dying or quitting service before complete repayment of an advance with interest accrued thereon in accordance with provisions of these rules, the house purchased, built or repaired together with the land on which it stands shall be mortgaged to the Government in form G, A 179' "The mortgaged deed shall be executed by the Government servant and submitted to the sanctioning authority who shall, after examining it, sign on behalf of Government" The borrowing Government servant is responsible for the mortgage bond being registered within four months from the date of its execution The bond, so registered will be retained by the sanctioning authority

"(Added vide F 1(11) F D (Gr 2) 78 dated 24 7-78)

*(2) (i) The original documents of title to land or property shall be presented by the Government servant to the sanctioning authority who shall after examining the same, make an endorsement on it about the fact and particulars of mortgage of the land or property with the Government The original documents of title shall be returned to the Government servant against receipt after retaining an attested copy of such documents alongwith endorsement made thereon On complete payment of due mortgage money, the sanctioning authority shall make an endorsement on the mortgage deed acknowledging receipt of the payment of whole of the mortgage money

*(Substituted vide F D Order No F. 1 (5) FD (R)/70 dt. 12-8-70 and effective from 12 8 70 )

(ii) Where a Government servant has been allotted land by Urban Improvement Trust or has acquired or purchased land by bidding at public auction held by Urban Improvement Trust for sale of residential plots, the Licence Deed granted by the Trust after payment of full price of land may be treated as title for the purpose of endorsement referred to in clause *(I) of this* sub-rule, if regular title deed has not been obtained by the Government servant

(3) Mortgaged property will be released on liquidation of the full amount due by a re-conveyance deed in form G A 184

(4) A Government servant shall be required to execute a mortgage bond within the period indicated below

| | | Period |
|---|---|---|
| 1 | Where advance is taken for purchase of site & construction of house thereon or for purchase of built house or flat or tenement, | 6 months from the date of drawal of advance |
| 2 | Where advance is taken for construction of a house on land already owned or for repairs or additions in respect of an existing house. | At the time of drawal of advance |

Rule @ 8 Every Government servant who constructs or purc a house with the aid of House Building Advance and/or loan under MIC LIGH Scheme shall be required to contribute towards Advance Hazard F compulsorily in accordance with the Rajasthan Advance Hazard Fund Ru 1971 The recovery towards Advance Hazard Fund at the rate prescri in rule 5 (2) of the Rajasthan Advance Hazard Fund Rules, 1971 shal made in the manner laid down in rule 7 of the aforesaid rules

**Rule 9 Sale or Disposal of the House Built Purchased or Repa with the Aid of Advance** —(1) Ordinarily a Government servant shall sell or otherwise dispose of the house built purchased or repaired with interest thereon, has been fully paid

(2) The sanctioning authority may, however, permit a Governm servant to sell or otherwise dispose of the house before the advance taken its construction or purchase or repairs etc from Government together v the interest thereon has been fully paid provided he is thereby enable clear the whole amount due

(3) Government in special circumstances, may permit a Governm servant to sell the house provided that out of the sale proceeds, an amo equal to the amount of loan is invested in purchase of another house, wh is mortgaged to Government

**Mode of Recovery Rule 10** —

(1) (i)+ The amount of advance shall be recovered in prescr number of instalments through monthly pay bills first instalment, shall commence with the first issue of after a period of 9 months from the date of drawal of fi instalment of advance or after a period of 30 months fr the date of drawal of first instalment whichever is earl In case pay bills are disbursed before Ist of the follow month i e the normal date of disbursement, the instalm in repayment of advance made through such pay bill will taken as paid on Ist of the following month to which the bill relates

* (ii) In cases where the Government servant is unable to pres his claim in time for certain administrative reasons or want of pay slip the recovery towards payment shall deemed to have been made in the month following month to which pay/leave salary relates irrespective dated of drawal

@ Substituted the existing rule 8 vide F D Order No F 1 (5) FD (Rule 70 dated 17 8 71 and effective from 1-4-1971

+ Substituted vide F D Order No F 1 (5) FD (Rules)/70, dated 25 9-74

* Inserted vide F D Order No F 1 (5) FD (Rules)/70, dated 20-1-71 a effective from 1-4-70

(2) The monthly recovery towards repayment of advance shall also be made from the leave salary or subsistence allowance payable to a Government servant while on leave of any kind or under suspension The sanctioning authority may however, in case of a Government servant placed under suspension order reduction in the amount of monthly instalment or suspend the recovery from subsistence allowance subject to the condition that the reduced or suspended amount of due instalments is repaid within the period originally fixed

(3) The amount of repayment instalment shall be fixed in whole rupees except in the case of last instalment when the exact balance should be recovered

**Rule 11 Procedure for grant of Advance** —The following procedure shall regulate the grant of House Building Advance admissible to a Government servant under these rules —

(1) An application shall be made through Head of the Office** in which he is serving in the prescribed form G A 158 who will pass it on to the sanctioning authority after adding his remarks as to the necessity of advance

**( OR Head of deptt as the case may be ' deeted vide F 1 (11) FD (Gr 2) 78 dated 24 7-78)

(i) The sanctioning authority shall enter the particulars in the Register for House {Building Advance (Form given in Appendix 'A') and proceed to examine the application in the manner indicated below —

(ii) The loan sanctioning authority shall ascertain that the applicant has a clear title to the land on which the house stand or is proposed to be built For this purpose he may obtain an affidavit from the loanee to the effect that the plot of land or the building as the case may be, was free from all encumbrances" [1]

(ii) When advance Is required to be sanctioned for purchase of a house or land on which house is to be constructed, the sanctioning authority should ensure that the applicant will have undisputed title to the house on land on payment of the purchase price and that there will be no obstacle to it being mortgaged to the Government and the Government will have the right to foreclosing on the conditions mentioned in the mortgage bond The onus of proving that he will have undisputed title of the house or land on payment of purchase price shall rest on the applicant and he will be required to file necessary documentary evidence for this purpose

(iii) The sanctioning authority shall ensure that no advance is given for purchase of a site which is agriculture land and which has

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1 (Substituted vide Order No F 1 (5) FD/R/70, dated 2-9-1976)

not been converted into Abadi or which is not otherwise fre from restrictions imposed by any public authority for construc tion of a house

(iv) In order to ascertain that the amount asked for is reasonabl building plan and estimated cost per square metre or squar foot of built up area of the house proposed to be built and i case of purchase of house the plan drawing and the estimate value shall be examined by the sanctioning authority Th sanctioning authority shall guard against grant of loan wher the proposed construction or purchase of house is too ambi tious Ordinarily the total amount of advance under thes rules and under MIGH/LIGH Schemes should not be les than 75% of the estimated cost of the house where land i already owned by the loanee or of the cost of construction o house and land where land is also purchased with the aid o loan, but in no case in excess of the ceilings of amount c advance permissible under these rules

(v) In case of advance for construction or repairs or additions an alterations of a house the sanctioning authority will examin the regularity of the applications with reference to the abov points and after satisfying himself on the points referred t above he will obtain a mortgage bond for the house propose to be built or repaired before advance is sanctioned

(vi) The sanctioning authority may himself inspect the site c arrange for inspection by a responsible officer subordinate t him before sanctioning advance and he should again visit th site at least once during the progress of the work Where th amount of advance is paid in more than one instalments th sanctioning authority himself or an officer nominated by hi also visit the site before payment of final instalment in orde to be satisfied that the amounts already paid have bee properly utilised These instructions shall also be followed i dealing with applications for grant of advance for purchase o or repairs etc to a house

(3) The sanctioning authority shall satisfy himself that funds ar available out of the allocations placed at his disposal in the year in whic advances are made before issuing sanction for grant of House Building Advance

(4) Amount of advance shall be sanctioned either in one instalment or more than one instalment as indicated below —

| Purpose of Advance | No of Instalments |
|---|---|
| 1 For purchase of built house, flat or tenement | [1]In one instalment |

1 (Amended vide F D Order No F 1 (5) F D (Rules) 70 dated 10 1-1977)

| | |
|---|---|
| 2. For purchase of land and to build a residential house. | (i) In one instalment for purchase of a plot.<br>@ (ii) In one or more instalments for construction of a house after purchase of land, depending upon availability of funds. |
| 3. For construction of house on the land already owned. | + In one or more instalments depending upon availability of funds. |

The sanctioning authority shall endeavour to sanction instalments in such manner that the progress of construction is not hampered.

(5) "The sanctioning authority shall obtain an agreement in form A. 180 duly executed by the Government servant. The agreement shall be signed by the sanctioning authority on behalf of the Government and shall remain in his safe custody. The sanctioning authority shall mention in the sanction itself that the agreement in the prescribed form has been executed by the Government servant.

**(New sub rule 5/added vide F. 1 (11) F. D. (Gr. 2) 78 dated 24 7-1978 with immediate effect).**

(6) The sanction issued for drawal of advance shall remain current for three months from the date of issue after which fresh sanction will be issued.

(7) The period within which the land or house should be purchased or house shall be constructed, shall be mentioned in the sanction itself.

(8) To avoid rush of expenditure and unsurrendered savings at the close of financial year, the sanctioning authority should not issue fresh sanctions during the last two months of a financial year.

**(After sub rule (4) of Rule 11, the following new sub rule (5) shall be added and the existing sub-rule (5) to (7) shall be renumbered as sub rule (6) to (8) respectively vide F 1 (11) FD (Gr. 2) 78 dated 24-7-1978)**

**Rule 12 :—Period within which Purchase of a Plot or House or Construction of a House on the Plot Purchased with the Aid of Advance should be completed after Drawal of Advance.**—(1) A Government servant who is sanctioned advance for purchase of a house shall complete the purchase within a period of 6 months from the date of drawal of advance.

(2) In case where advance is sanctioned for purchase of a plot and construction of a house thereon the purchase of plot shall be completed within a period of 6 months from the date of drawal of first instalment and the house shall be constructed completely within a period of 6 months from the date of drawal of final instalment.

(3) Where advance is taken for construction of a house on the plot

already owned by the Government servant, the house shall be constructed completely within a period of 6 months from the date of drawal of last instalment of advance

13 **Mode of Drawal of Advance**—(1) Immediately on receipt of sanction the drawing officer shall prepare a bill in the form G A 121"

(Substituted vide order No F 1 (11) FD/Gr 2/78, dated 24 7-1978).

(2) The drawing officer shall intimate to the sanctioning authority and the Accountant General, the date on which the amount of advance has been paid to the Government servant

**Rule 14 --Procedure for grant of House Building Advance to Government servants on deputation to Central or other State Governments, Local Bodies, Corporations Statutory Bodies and other Employees**—(1) The application for advance will be submitted through the employer

(2) The sanctioning authority will be the Collector of the District where the house is to be constructed or purchased, and he shall, after complying with the conditions laid down in the rules, arrange to send the amount to the employer for disbursement to the payee and will also inform the parent department from which the employee is on deputation

(3) A duly stamped receipt will be obtained from the payee in token of the amount having been disbursed to him and shall be forwarded to the Collector for record

(4) Necessary documents regarding mortgaging of house etc will also be got executed by the Collector and the deed retained in the Office of the Collector

(5) The employer will be responsible for the recovery of the advance and ensure that the amount of instalments as fixed by the sanctioning authority is deducted timely from the pay bill of the Government servant and credited into the Treasury under the appropriate Head of account alongwith a statement of recovery in the proforma given in Appendix 'B with a copy to the Collector The Treasury Officer will ensure that these statements are invariably attached with the cash recovery schedule and sent to the Accountant General with monthly accounts

(6) In the case of reversion of the Government servant from deputation the amount outstanding and the rate of recovery shall be shown in the Last Pay Certificate issued to the Government servant

## SECTION II

### Grant of House Building Advance to Government servants for purchase of a house or flat built by the Rajasthan Housing Board

R /5 (1) (i) Notwithstanding the provisions contained in Section I of these rules, a Government servant may be granted advance for purchase of

a built house on hire purchase or outright sale basis from Rajasthan Housing Board subject to the fulfilment of coi ditions laid down in rule 3 of these rules, as follows :—

(a) First instalment of Registration deposit equal to the amount which he is required to deposit.

(b) Second and third instalment of seed money equal to the amount which he is required to deposit on demand from Rajasthan Housing Bord.

(c) Fourth instalment in respect of remaining amount of advance admissible under these rules :

Provided that the total amount of advance payable in the aforementioned instalments shall not exceed the amount of advance admissible under sub-rule (1) of Rule 4 of these rules or the actual sale price of the house whichever is less.

(ii) The amount of advance shall, however, be calculated on the basis of pay which a Government servant is drawing at the time of release of last instalment of advance.

(Substituted vide Order No. F. 1 (1) FD/(Gr-2)/78, dated 6-9-79)

(iii) The amount of advance under this rule shall be granted to a Government servant (i) who is otherwise entitled to House Building Advance under Rules contained in Section I, (ii) who has not been allotted any plot of urban land at concessional price by Urban Improvement Trust or Board, or any Municipality or by Government at any place in Rajasthan (iii) who has not been previously sanctioned House Building Advance under these rules or rules superseded by these rules.

(2) (i) The advance under this rule shall be sanctioned by the authorities competent to sanction House Building Advance under rule 6 of these rules. The mode of drawal of advance shall be same as laid down in rule 13 of these rules. The bill in *Form G. A. 121* through which the amount of advance shall be drawn by the drawing officer shall be endorsed in favour of the Secretary, Rajasthan Housing Board for payment. In case the registered applicant is not allotted a house or flat by the Board or if he himself desires to obtain the refund of the deposit at any time before allotment of the house, the Board shall arrange refund of the deposit to the sanctioning authority which granted him advance under this rule and not to the Government servant direct.

(2) (ii) The procedure for drawal of differential amount of advance sanctioned under sub-clause (b) of clause (ii) of sub-rule (1) of Rule 15 shall be as laid down in Rule 13 of these Rules but it

shall be paid in cash to the Government servant to enable him to utilise the same for the purposes mentioned in Rule 15 (1) (ii) (b).

[Finance Department No F1 (5) FD (Gr 2)/70, dt 7-6-1977 ]

"(2) (iii) Where a registered applicant who was granted advance under rule 15(1) (i) obtains refund of deposit from the Board as provided in clause (i) above, the Government servant shall, in such a case, be deemed not to have availed of the facility of House Building advance under this rule, and he shall be eligible to the grant of advance under the rules contained in Section I of these rules '

(Added vide Finance Department Order No F. 1 (5)FD/Rules /70, dated 8 7 1976 and renumbered vide above noted order dated 7 6 77)

The above amendments shall be deemed to have come into force with effect from 7-6-1977

In any case if the amount of advance has been sanctioned in accordance with provisions of Finance Department order No F 1 (5) FD (Gr 2)/70 dated 7 6-1977 prior to the date of issue of this order, such cases shall not be re-opened for enforcing recovery of the amount of advance already drawn and paid but admissibi ity of repairs advance (s) under Rule 4 of House Building Advance Rules in such cases shall be restricted to difference between the amount of advance actually paid under Finance Department order of even number dated 7 6-1977 referred the above and the amount of advance admissible under Rule 4 if the repairs advance (s) works out to be more than the amount of advance

[Finance Department order No F 1 (5) FD (Gr 2)/70 dt 20 12 1977]

(3) The house or flat purchased from the Board on outright sale basis shall be mortgaged to the Government in accordance with the procedure laid down in rule 7

(4) A Government servant who purchases a house or flat built by the Board with the aid of advance sanctioned under this rule shall be required to contribute towards the Rajasthan Ad ance Hazard Fund compulsorily in accordance with Rajasthan Advance Hazard Fund Rules 1971

[Order No F 11 (1) F D (Gr 2)/78 Dated Jaipur, the 27-3-80 ]

In the said rules the existing sub rule (5) of Rule 15, shall be substituted by the following —

15 (5) (i) The amount of advance sanctioned under sub rule (1) of this rule shall be recovered in the prescribed number of instalments laid down

in Rules 4 and 5 of these rules. The recovery of advance shall commence from the month following the month in which the amount of advance has been paid under this rule.

(ii) The recovery of the amount of registration deposit sanctioned under sub clause (a) of clause [i] of sub-rule [1] of this rule shall be recovered in 36 instalments.

iii) In cases where a Government servant is sanctioned advance under sub-clause [b] of clause [i] of sub-rule (1) of this rule before complete repayment of the amount of registration deposit, the sanctioning authority shall in such cases re-schedule the recovery instalments keeping in view the provision contained in Rules 4 and 5 of these rules Likewise in cases where a Government Servant is sanctioned advance under sub clause [c] of clause [i] of sub rule (1) of this rule before complete repayment of the advance already taken by him under sub clause [a] and [b] of clause (i) of sub-rule (1) of this rule, the sanctioning authority shall re-schedule the recovery instalments keeping in view the provisions contained in Rules 4 and 5 of these rules."

These orders take effect from 6-9-1979.

(Substituted vide F. D. order No. F. 11 (1) F. D. (Gr. 2) 78 dated 27-3-1980).

15 (6) Every Government servant who desires to take advance under this rule shall make an application to the Head of Department of Head of Office, as the case may be, in which he is serving in the Form given in Appendix 'C' who will pass it on to the sanctioning authority.

## APPENDIX 'A'

## Register of House Building Advance

### PART I

Amount allotted by the Finance Department during the financial year..................................

Reference of Allotment letter No.......................

Dated ........................

| S.No. | Name of the Govt. servant Ledger Account No. | Reference of sanction |
|---|---|---|
| 1 | 2 | 3 |

| Amount sanctioned | Amount actually drawn/disbursed | | Balance |
|---|---|---|---|
| | Treasury Voucher No | Date of encashment | |
| 4 | 5 | 6 | 7 |

Note —1 Funds allotted by the Finance Department during a financial year from time to time shall be noted at the top of this register in appropriate column.

2 Separate Register shall be maintained for each financial year.

3 Amount of sanctions cancelled shall be noted in the Column of Balance.

## PART II

Rule 11 (2)

| S No | Date of receipt | Name of Govt servant with designation |
|---|---|---|
| 1 | 2 | 3 |

| Department in which employed or Service/cadre to which officer belongs | Purpose of Advance |
|---|---|
| 4 | 5 |

| Amount asked for | Amount sanctioned (Give No & date of sanction) |
|---|---|
| 6 | 7 |

| No of instalments in which payable | Date of drawal of advance (Note Treasury Voucher No & date of payment against each instalment) |
|---|---|
| 8 | 9 |

| Date on which agreement form executed & S. No. assigned to it in the Guard file | Date of execution of Mortgage Deed & particulars of its registration. Mention S.No. assigned to Mortgage Deed filed in Guard file. |
|---|---|
| 10 | 11 |

| Insurance Policy No & period for which house is insured with LIC or its subsidiaries. Note : (If he is contributing to Advance Hazard Fund), the fact should be noted) Date of renewal may be noted if premium receipts are called for inspection | Date of completion of purchase/construction of house or purchase of land. |
|---|---|
| 12 | 13 |

| Particulars of site or house viz. Plot No., Name of Colony and address of the house etc. | Remarks. |
|---|---|
| 14 | 15 |

Note :—Separate ledger accounts should be maintained for each loanee.

## APPENDIX 'B'

### Statement of Recovery

| S No. | Name & Designation of the employee | Nature of advance sanctioned |
|---|---|---|
| 1 | 2 | 3 |

| Amount of advance | Designation of the sanctioning authority. |
|---|---|
| 4 | 5 |

| No. & Date of Sanction | Rate of Instalment | Date of Disbursement of advance |
|---|---|---|
| 6 | 7 | 8 |

| Challan No. and date under which the amount is credited in the treasury. | Amount of recovery upto the last month |
|---|---|
| 9 | 10 |

| Amount recovered during this month. | Balance |
|---|---|
| 11 | 12 |

Signature...... ... . .

Designation . . ...... .......

## APPENDIX 'C'

### Application Form For Grant of Advance for Purchase of a House or Flate Buil by the Rajasthan Housing Board

1. (a) Name
   (b) Designation.
   (c) Scale of Pay.
   (d) Substantive Pay, personal pay if any or officiating pay (excluding officiating pay drawn in leave vacancy or for definite short periods.)
2. Date of birth.
3. Office in which employed and permanent address.
4. State whether you are permanent or not.
5. Income group category to which you belong under the Scheme for General/Specific registration of intending purchasers of House/Flats.
6 State whether you or your wife/husband/children already own a house/flat any where in Rajasthan. If so, give

| Exact location | Details of accommodation | Floor area | Approximate valuation |
|---|---|---|---|
| | | | |

full particulars as below :—

7. State whether you have been allotted any plot of urban land at concessional price by U. I. T., Board, Municipality or Government at any place in Rajasthan or not.

8. Amount of advance applied for (Amount required for registration deposit under Rajasthan Housing Board's Scheme for sale of built houses should be indicated separately).

9. State whether you opt to commence recovery of advance from the first issue of pay after the drawal of advance.

10. State whether House Building Advance or loan under LIGH/MIGH Scheme was taken previously, if so full particulars of the advance/loan taken may be furnished

## DECLARATIONS

1. I solemnly declare that the information furnished by me in the application is true to the best of my knowledge.

2. I have read the rules regulating the grant of House Building Advance to Government servants and agree to abide by the terms and conditions mentioned therein.

3. I certify that my wife/husband is not a Government servant and has not applied for and/or obtained advance under these rules.

4. I hereby bind myself to use the money, for the purpose applied for in accordance with the rules regulating such advances and further bind myself to refund any surplus that may remain unutilised for the said purpose.

5. I declare that I am to retire by......................and that I am eligible under the rules to the grant of gratuity or death-cum-retirement gratuity. I agree that the Government shall be entitled to recover the balance of the said advance with interest remaining unpaid at the time of my retire-

ment or death preceding retirement from the whole or any specified part of the gratuity that may be sanctioned to me

Signature of the applicant
Designation/Department

Certified that the facts stated in the application by Shri are correct It is recommended that an advance of Rs may be granted

Countersignature of the
Head of Office/Deptt

Note —The application form shall be submitted in duplicate to the sanctioning authority, the sanctioning authority shall forward one copy of the application to the Accountant General alongwith the copy of the sanction endorsed to him

## FINANCE (RULES) DEPARTMENT
## CIRCULAR

**Jaipur, March 23, 1971**

**Sub** —Grant of House Building Advance to Government servants—Order of Preference

No F 1(5)/FD(Rules)/70 —It has come to the notice of the Government that subsequent instalments of the House Building Advance after release of Ist instalment of loan are not released by the sanctioning authorities on account of inadequacy of funds placed at their disposal Consequently Government servants are not able to complete construction of the houses well in time Under the House rent allowance Rules, house-rent allowance is not admissible to Government servants after the expiry of a period of 24 months from the date of issue of first instalment of advance where the amount of House Building Advance is paid in instalments or in lump sum from one source & in instalments from other source, or in one lump sum from more than one source, or after the date on which house is ready for occupation whichever is earlier Such a situation causes considerable hardship to them and they request Government for continuance of House Rent Allowance in relaxation of the rules until completion of the construction of the house on the plea that the funds have not been made available to them in such committed cases, despite due diligence and care on their part to approach the sanctioning authority for release of funds at regular intervals

2 It should be the endeavour of the sanctioning authorities to issue subsequent instalments of House Building Advance in such a manner that the progress of the construction work is not hampered as envisaged in rule 11 (4) of House Building Advance Rules Government are therefore,

instalment and who are in receipt of house rent allowance should get preference in the matter of release of subsequent instalments of House Building Advance before sanctioning House Building Advance to new applicants The following order of priority should, therefore, be adopted as far as possible in the matter of grant of House Building Advance to Government servants —

1 Persons who are in receipt of House Rent allowance and to whom first instalment of House Building Advance has been released.

2 Persons who are not in receipt of House Rent Allowance but first instalment of advance has been sanctioned.

3. Persons who already own a plot of Urban land and have a clear and good title to it

4 Persons who have been allotted plot of land by the U I T or who have purchased land from U I T by bidding at open auction

Pending application for loan may also be dealt with in accordance with the order of preference mentioned above

स्पष्टीकरण— इस विभाग के पत्र क्रमाक प 9 [3] वि मा 80 दिनाक 18-4-80 मे निहित भवन अग्रिम की नई श्रेणियों म वरियता निर्धारित करके ऋण स्वीकृत किए जाने के लिए स्वीकृताधिकारियो द्वारा इस विभाग से कुछ बिन्दुओ पर मार्गदर्शन चाहा गया है। इस सम्बन्ध मे निदेशानुसार लेख है कि —

1 जिन राज्य कर्मचारियो/अधिकारियो को केवल भूखण्ड खरीदने हेतु ऋण स्वीकृत किया गया है ऐसे मामलो मे भवन निर्माण अग्रिम हेतु प्राप्त प्रार्थना पत्रो की वरीयता बकाया किश्त की श्रेणी म न रखी जाकर श्रेणी सख्या 3 मे ही रहेगी। यदि उन्ह भूखण्ड खरीदने हेतु नियमानुसार देय राशि का एक मुश्त ऋण स्वीकृत किया जाकर भूखण्ड खरीदने हेतु प्रथम किश्त के रूप मे नियमानुसार देय राशि के आहरण करने की स्वीकृति दी गई है तो ऐसे मामलो मे भवन निर्माण अग्रिम के प्राप्त प्रार्थना पत्रो की वरीयता बकाया किश्त की श्रेणी मे मानी जावेगी। क्योकि इन मामलो म स्वीकृत ऋण राशि का भुगतान किश्तो मे किया जाना है।

2 राजस्थान आवासन मण्डल मे रजिस्ट्रेशन करवाने के लिए ऋण स्वीकृत करने के बाद आवासन मण्डल से नक्द विक्रय पद्धति पर बना बनाया मकान खरीदने हेतु जब आपके कार्यालय में आवेदन पत्र प्राप्त हो तभी उसकी प्राप्ति के दिनाक से वरीयता निश्चित की जावे।

3 श्रेणी सख्या तीन में प्राप्त ऋण आवेदन पत्रो की वरियता, सूची मे अकित श्रेणी वार अलग-अलग न बनाई जाकर आवेदन पत्रो की प्राप्ति के दिनाक से मिश्रित रूप में वरीयता सूची एक ही बनाई जावे।

4 भवन निर्माण के विभिन्न ऋण स्वीकृत करने हेतु प्राप्त आवेदन पत्रो की वरीयता मूल आवेदन पत्रो की प्राप्ति के दिनाक से ही मानी जावे। प्राप्त ऋण आवेदन पत्र आदि

अपूर्ण हो तो उसे एक निश्चित अल्प अवधि मे पूर्ण करवाया जाय एव उसकी वरीयता पूर्ण प्राप्ति के दिनाक से ही मानी जावे । यदि आपके द्वारा बताई गई अवधि मे प्रार्थी द्वारा पूर्ण नहीं किया जाय तो पूर्व की प्राथमिकता समाप्त समझी जावे ।

(वित्त (मा पा ) विभाग के परिपत्र क्रमाक एफ 9(7) वि मा /80 दिनांक 2-6-80 द्वारा प्रसारित)

Sub-Procedure for communication of balances in respect of interest bearing advances to Government servants

Attention is invited to this department memo of even number dated 31st December, 1970, 25th October, 1972 and 28th November, 1974 under which it was enjoined upon all Drawing & Disbursing Officers to furnish the certificate on recovery schedule of House Building advances attached with the salary bills for the month of Feb. paid in March every year that the balances shown in the schedule of recoveries have been accepted by Government servants

It has been brought to the notice of Finance Department by the Accountant General that such a certificate was not recorded in the schedules of recoveries attached to pay bills of the department for the month of Feb The Accountant General, Rajasthan has also brought to notice of this department that discrepencies in the individual accounts advances specially Motor Cycle advances pointed out to the Heads of Deptts /Drawing & Disbursing Officers have not been reconciled so far

It is, therefore enjoined upon all Heads of Departments & Drawings and Disbursing Officers to enclose the required certificate on the schedules in Feb paid in March every year and also arrange reconcilation of the accounts of advances for the period upto 31-3-79 with Accountant General, Rajasthan, Jaipur otherwise the salary bills for 2/81 payable in 3/81 will not be entertained by Treasury Officers

(Issued vide FD memo No F 3(20) F D (RRSA) 80 dated 26 12 80)

It has come to the notice of the Government that the date of retirement of a Government servant is not mentioned in the sanctions issued by the Competent authority under rules regulating grant of House Building/Conveyance advances to Government servants It is, therefore, enjoined upon Collectors/Registrars, High Court and Department of Personnel who are authorities competent to sanction grant of House Building/Conveyance advances to ensure that the date of retirement of a Government servant is invariably mentioned in the sanction itself

2 It has also been decided that each authority competent to issue sanction in regard to the aforesaid advances shall send a statement to the Accountant General, the Chief Pension Officer and the Director of Insurance (for recovery of Hazard Fund) on 1st January, 1st may and 1st September in the prescribed form given below —

1 Name of the Government servant

2 Designation

3 Nature of advance sanctioned/Original advance/or Conveyance advance

4 Amount of advance

5 Date of retirement of Government servant

6 Reference of number and date of sanction

3 Thereupon, the Accountant General will communicate the number of the ledger account maintained in his office to the Chief Pension Officer and Head of Office/Head of Department in which Government servant concerned is working The Head of Office/Head of Department, as the case may be, shall make an entry in the remarks column of Service book of the concerned Government servant under proper attestation about the fact of having taken advance with particulars of reference of number, date of sanction, amount of advance and the account number communicated by the Accountant General

4 The Chief Pension Officer will exercise a watch over timely rendition of such statements by the aforesaid authorities, and in case statements are not received by 15th of the month in which these are due, he will address communication to the concerned authorities to obtain the same

(Issued vide circular No F 1 (40) FD (Gr 2) 79 dated 7 3 1981)

## Advance of Leave Salary

It is ordered that advance of leave salary may be granted to Government servants proceeding on leave on the following conditions —

(1) the amount of the advance should be restricted to the net amount of leave salary for the first month of leave that is clearly admissible to the Government servant after deductions on account of Income Tax Provident Fund, House Rent, repayment of Advances etc, so that there is no financial risk involved,

(2) no advance may be granted when the leave taken is for less than 30 days,

(3) the advance should be adjusted in full in the leave salary bill in respect of the leave availed of In case where the advance cannot be so adjusted in full, the balance will be recovered from the next payment of pay or/and leave salary,

(4) the advance may be sanctioned by the Head of the Office both in the case of gazetted and non-gazetted officers,

(5) officers who are Head of Offices or Heads of Department may sanction the advance to themselves,

(6) the advances in respect of temporary Government servants will be sanctioned subject to the furnishing by them of the surety of a permanent Government servant,

(7) the amount of advance will be debited to the Head of Account to which the pay etc , of the Government servant is debited and the adjustment of the advance will be watch through objection book by the Accountant General, Rajasthan,

(8) advances under these orders shall be sanctioned in whole rupees

(Govt order under rule 414-A of Gr F & AR)

**Government of Rajasthan's Decisions**

1. A question has been raised as to how and by whom the advance of leave salary shall be paid in respect of a Government servant on foreign service. It has been decided that the advance of leave salary respect of Government servants who avail of leave during or on reversion from foreign service shall be paid by the foreign employer without any specific authority from the Accountant General for the drawal of advance.

The payment of advance to Government servants on foreign service will be subject to the observance of the following procedure —

(i) as soon as the foreign employer pays the advance he should place a demand on the Accountant General/Head of office responsible for authorising/drawing leave salary duly supported by the cash receipt obtained from the officer.

(ii) the Accountant General/Head of office should check the correctness of the amount paid as advance and refund the amount of the advance to the foreign employer by means of a bank draft. If it is found that the advance already paid by the foreign employer is more than the correct amount admissible under rules, the Accountant General/Head of office should reimburse only the correct amount and request the foreign employer to recover the balance from the Government servant direct.

(iii) tha amount of bank draft should be classified under the final head to which the leave salary is debitable.

(iv) suitable entries should also be made by Accountant General in his objection book and the Audit Register for watching the adjustment of the advance in the usual course Likewise, the Head of office should keep appropriate Note in his records to watch the adjustment of the advance from the final leave salary.

(v) the foreign employer should indicate in the last pay Certificate the outstanding advance so that the recovery of the same is not lost sight of by the Accountant General/Head of office

2. With a view to simplify the procedure in regard to the grant of Advances for Travelling Allowances, whether on transfer or on tour under Rule 411 and 41? of these Rules and advance of leave salary under Rule 414-A, it has been decided that no formal sanction need be issued Where the authority competent to sanction, advance is itself the drawing authority, the signature of that authority on the bill drawing the advance shall be deemed to carry with it the sanction to the grant of advance However where the authority competent to sanction advance is different from the drawing officer, the later should obtain the countersignatures of the former authority on the bill in such cases.

**7A Grant of advance for medical attendance and treatment outside the State**

(1) A Government servant and members of his family, who are entitled to medical attendance and treatment outside the State under Rule 7 may be granted advance not exceeding Rs 5,000/- to meet the expenses of treatment in respect of the following diseases

(i) Kidney transplantation,

(ii) Cardio Vascular Surgery including/providing a Pace maker of heart.

(iii) Cancer Surgery including brain tumor,

(iv) Body Scanner as diagnostic pethod for identifying the location of the disease for proper diagnosis etc

(2) The advance shall be sanctioned by the Head of office on the basis of a certificate issued by the Principal of Medical College/ Director of Medical & Health as envisaged in sub-rule (1) of Rule 7 of these rules.

(3) The advance shall be debited to head of account to which pay and allowances of the Government servant are debited

(4) (i) After the advance has been sanctioned under sub-rule (1) above further advance shall not be sanctioned unless the medical reimbursement claim to the extent admissible under Rule 7 (2) has been submitted in adjustment against the previous advance.

(ii) The entire amount of advance shall finally be adjusted against the due medical reimbursement claims under these rules not later

The unspent amount of advance if any shall invariably be paid in cash

Note —Inserted as rule 7A in the Medical Attendance Rules 1970 and made effective from 1st January, 1981 vide notification No F 12 (2) F D (Gr 2) 78 dated 31 12-1980

**Advances of Pay and T A on Transfer**

**Rule 411** —Advances may be made to a Government servant under orders of transfer, except a transfer on the Government servants' own request, upto an amount not exceeding one month's pay plus the travelling allowance to which he may be entitled under the rules in consequence of the transfer Such advances may be sanctioned by the head of the office or by any other subordinate officer to whom the power may be delegated

The advances should be recorded on the Government servant's Last Pay Certificate The advance of pay should be recovered from the pay of the Government servant in not more than three monthly instalments the recovery commencing from the month in which the Government servant concerned draws a full month s pay or/and leave salary on joining his new appointment The advance of travelling allowance should be recovered in full on submission of the Government servant s travelling allowance bill

**Notes** —1 Authorities competent to sanction advance under this rule may sanction such advances of themselves also

2 An advance under this rule is also admissible to a Government servants who receives orders of transfer during leave

3 This rule does not preclude ths grant of a second advance to a Government servant to cover the travelling expenses of any member of his family who follow him within six months from the date of his transfer and in respect of whom an advance of travelling allowance has not already been drawn

4 When a single lump sum advance is drawn to cover the travelling expenses both of the Government servant himself and of his family, it may be adjusted by the submission of more than one bill if it so happens that the members of the Government servant s family do not actually make or complete the journey with him In such a case the Government servant should certify on each adjustment bill submitted by him that a further bill in respect of travelling allowance of the members of his family (to be specified) who have not yet completed the journey will be submitted in due course and is expected to include an amount not less than the balance of the advance left unadjusted in this bill

5 The advance of pay under this Rule may be allowed to be drawn at the new station within 15 days from the date the Government

servant reports for duty on production of the last pay certificate showing that no advance was drawn at the old station

6 The amount of the advance to be recovered monthly should be fixed in whole rupees, the balance being recovered in the last instalment

7 Advances to Government Servants on transfer to foreign service may be sanctioned by the authorities that are competent to sanction transfer The reimbursement of the advance to Government by the foreign employer should be made in lump by sending a cheque or Demand Draft in favour of the Accountant General, Rajasthan

8 In the case of the Government Servants who are (i) on probation against permanent posts and (ii) on contract, such advances may be granted without production of surety of a permanent State Government Servant However, in the case of officers on contract the sanctioning authority will make sure, before the advance is sanctioned that the advance can be recovered/adjusted before the expiry of the contract of the officers concerned

9 Subject to the production of surety bond from a permanent State Government servant in the form given in Annexure 'B' to this Chapter, Heads of Departments and Heads of Offices are competent of sanction an advance under this rule to temporary/officiating Gazetted and Non Gazetted Government servants respectively

10 An advance of Travelling Allowance under this rule may be made by the competent authority to a temporary Government Servant without insisting on surety from a permanent Government servant provided it is restricted only to cover conveyance charges on account of the Government servant concerned, his family and his baggage to the new station provided the Government servant concerned has completed one year's service and is not likely, in the opinion of Head of Department/Head of Office, to be discharged within 3 months of the receipt of the advance This does not preclude sanction of the advance of pay and Travelling Allowance to a temporary Government servant provided the surety from a Government servant is obtained

11 The advances of pay and T A given by Panchayat Samities in cases of transfer of their staff to a Government Department shall be reimbursed by the Head of the Office by credit to the P D Account of the Panchayat Samities which made the advance

12 (i) The authority competent to sanction advance under this rule shall ensure that the amount of Travelling Allowance advance on transfer is invariably a little less than the estimated amount of Travelling Allowance admissible to the Govern-

ment servant under Travelling Allowance Rules The amount of advance should, therefore be limited to an amount equal to actual rail fare (s) or bus fare (s) for self and members of his family, cost of carriage of personal effects and conveyance only The Government servant applying for grant of advance shall be required to furnish correct details of actual rail or bus fare number of members of family etc together with a statement whether members of his family are accompanying him or shall follow afterwards with a view to enable the authority sanctioning advance to assess his need for advance money If the members of family of the Government servant are not accompanying him but are due to follow afterwards within 6 months of transfer advance for transfer travelling allowance for self only shall be sanctioned For family he may draw second Travelling Allowance advance when actually required as provided in Note 3 above

(ii) Transfer Travelling Allowance claim shall be persented within a period of one month from the date he takes over charge of the new post

(iii) In cases where the amount of Tranfer Travelling Allowance claim works out to be less than the amount of advance paid to the Government servant the counter signing authority to whom the transfer Travelling Allowance bill is presented for counter signature shall see that the excess amount of advance is first deposited into the Treasury by means of a challan and a note to this effect is recorded in the remarks column of the Travelling Allowance bill by the Government servant himself if he is a gazetted officer and in other cases by the Head of Office under their respective signatures before it is countersigned by him for nil amount Full particulars of remittance viz amount of advance drawn name of t' department Treasury from which Travelling Allowar advance was paid and date of encashment etc reference Travelling Allowance Bill No date frc which part of advance has been adjusted etc shall be indi ted in the challan to enable audit to adjust the credits cor ctly and promptly

**Clarification** —It is, clarified that the advance of one month s at the time of transfer is admissible only in cases where there is change in Station and not otherwise

**Advances of T A for Journeys on Tour**

**Rule 412** —Advances may be made under the rules specified below —

(i) To a Government servant other than an inspecting officer for himself or an Assistant or Deputy proceeding on tour upto an amount sufficient

to cover for a month his contingent charges such as those for the hire of conveyances or animals for the carriage of records, tents or other Government property, subject to adjustment upon the Government servant s return to headquarters on 31st March, whichever is earlier

Notes —1 Advances under this sub clause may be granted by heads of offices but they should not be applied to the expenditure of any gazetted Government servant, except that of a Government servant of the Forest Department, which is meant to be covered by his travelling allowance

2 The recovery of advance remaining unadjusted for over one year may be made after giving an opportunity to the drawer to explain the reasons of such unadjustment

(ii) To a Government servant proceeding on tour of an amount sufficient to cover his personal travelling expenses for a month, subject to adjustment on completiont of the tour or on 31st March whichever is earlier.

Notes —1 Advance under sub-clauses (i) and (ii) which are drawn in the month of March may be adjusted on completion of the journey or by the 30th April whichever is earlier

2 The expression 'personal travelling expenses' in sub-clause (ii) should be taken to include not only the daily allowance but also the road mileage and the fares and incidentals for the journeys both ways The daily allowance may be calculated for the likely period of halt at an out-station, not exceeding 30 days in any case

3 An advance under clause (ii) may be granted—

(a) by Heads of offices to Government servants subordinate to them,

(b) to Heads of Offices by their controlling officers,

(c) to themselves by all officers declared to be their own controlling officers under the Rajasthan Travelling Allowance Rules

4 A second advance cannot be made to a Government servant under this rule until an account had been given of the first A Government servant who has taken an advance under this rule for any particular journey may not take payment to travelling allowance or other bills drawn in respect of the same journey while the advance portion of it still remains unadjusted

5 Subject to the production of surety bond from a permanent Government servant in Annexure 'B' to this Chapter, the Heads of Departments and Heads of Offices are competent to sanction an advance under clause (ii) to temporary/officiating Gazetted and non Gazetted Government servants respectively

6 In the case of Government servants who are (i) on probation against permanent posts and (ii) on contract, such advances may be granted without production of surety of a permanent Government servant. However, in the case of officers on contract the sanctioning authority will make sure before the advance is sanctioned that the advance can be recovered/adjusted before the expiry of the contract of the officers concerned.

7 An Advance of Travelling Allowance under this rule may be sanctioned to Temporary Government servants without insisting on surety from a permanent Government servant by the sanctioning authority provided the Govt servant concerned has completed one years' service and is not likely in the opinion of Head of the Department/Head of the Office to be discharged within three months of the receipt of Advance The advance should be restricted to a month's pay of the officer concerned This does not preclude sanctioning of an advance on the same basis as for a permanent Government servant provided surety from a permanent Government servant is obtained

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# Compensatory (City) Allowance Rules, 1970

In exercise of the powers vested in them under Rule 42 of the Rajasthan Service Rules, the Government hereby makes the following Rules for grant of Compensatory (City) Allowance to Government servants effective from Ist January, 1970 —

*1 These rules shall apply to Government servants —

(1) (i) posted within the municipal limits of the Jaipur City, and

(ii) employed in Purejat Office and posted at Agra, Varanasi and Allahabad

(2) These rules shall not apply to

(i) staff employed on daily wages or work charged employees

(ii) Officers employed on contract unless specific term in regard to admissibility of Compensatory (City) Allowance has been provided in the terms of contract

(iii) employees of the Devasthan Department posted at Varanasi [These orders shall come into force with effect from 1 4 1976 ]

**(Finance order No F 1 (3) FD/R/70 dated 24 5 1976)**

(The above clause has been added and made effective from 1 4 1976)

**Note** —A grant of Compensatory (City) Allowance to workcharged employees and employees other then the casual labour shall continue to be regulated in accordance with the Government orders issued separately from time to time.

2 **Definitions** — For the purpose of these rules —

(i) Pay" means pay as defined in Rule 7 (24) of the Rajasthan Service Rules

3 **Rate of Compensatory (City) Allowance** —The Compensatory (City) Allowance to the Government Servant Shall be granted at the following rates —

| | Pay Slab | Rate of Allowance (per month) |
|---|---|---|
| 1 | Below Rs 450/- | 3 5% of pay |
| 2 | Rs 450/- and above | 3% of pay subject to a minimum of Rs 16 10 and a maximum of Rs 50/- |

*These Rules were issued by the Government of Rajasthan vide Notification No F (3) F D (R)/70 dated 3-3-1970 and published in the Rajasthan Rajpatra part IV (c) of dated 20th June, 1970 They were made effective from 1 1-1970

(f) **During Awaiting Posting Orders** —

A Government servant shall be entitled to draw Compensatory (City) Allowance during the period of awaiting posting orders at the same rates at which it was drawn immediately before the period of awaiting posting orders.

(Finance Department Order No, F 1 (3) FD/Gr-2/70, dated 13 4-1976)

5 These rules shall supersede existing orders issued from time to time in regard to grant of Compensatory (City) Allowance to Government servants

Order No F 1 (32) FD (Gr 2)/78 Dated, the 11-6 1980

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Sub Grant of Compensatory Allowance to Government servants posted at various places outside Rajasthan

In supersession of all existing Orders issued by the General Administration Department as well as Finance Department regarding grant of Compensatory Allowance, the Governor has been pleased to sanction the Compensatory Allowance to the Rajasthan Government servants posted outside Rajasthan at various places at the following rates with effect from 1 6-1980 —

| (1) Category of officers and employees | Calcutta Bombay, Delhi | All other State Capitals | Nangal & Firozpur | Madhopur, Harike Sarsa & Muktsar |
|---|---|---|---|---|
| (1) All Government servants in-Revised New Pay Scale No 22 and above & all A-I-S Officers | 200 | 200 | 150 | 100 |
| (2) Gazetted Officers in the Revised New Pay Scale No 21 and below | 150 | 100 | 75 | 50 |
| (3) All Ministerial staff & Subordinate Ser vices staff in Revised New Pay Scale No 4 and above | 75 | 50 | 40 | 30 |

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| (4) Staff in Revised New Pay Scale No 1, 2 and 3 | 45 | 30 | 25 | 20 |

(ii) Rates of City Compensatory Allowance at Agra —As admissible to Government servants posted in Jaipur City

(iii) Rates of City Compensatory Allowance to the staff posted at Ekadish Rudraji Temple, Uttarkashi (Uttar Pradesh),

Compensatory allowance may be allowed to the Manager, Temple of Ekadish Rudraji in Uttar Kashi (Uttar Predesh) @ Rs 40/- p m

The rates of compensatory allowance to the employees drawing pay in pay scale other than Revised New Pay Scale shall be as admissible to the Similar category of employees drawing pay in the Revised New Pay Scales

The grant of compensatory allowance during leave, temporary transfer joining time etc may be regulated according to rules regulating grant of Compensatory (City) Allowance Rules

## CONVEYANCE ALLOWANCE

**(Rule 18 of the Raj T A Rules, 1971)**

18 (1) The Government may grant a monthly conveyance allowance on such conditions as it thinks fiit to impose on any Government servant who is required to travel extensively within a short distance from his headquarters, under conditions which do not entitle him to Travelling Allowance

(2) Except as provided in sub-rule 4 a conveyance, allowance is drawn all the year round, is not forfeited during absence from headquarters and may be drawn in addition to any other Travelling Allowance admissible under the rules, provided that a Government servant, who is in receipt of a conveyance allowance specially granted for the upkeep of a motor car or motor cycle, shall not draw mileage allowance for a journey by a motor car, motor cycle except on such conditions as the authority which sanctions the conveyance allowance may prescribe

(3) In the case of a Government servant in receipt of a conveyance allowance, the conveyance allowance for days on which road journey is performed in the conveyance in respect of which such allowance is granted, and
30 for which journey a halting allowance or mileage allowance is claimed, will be deducted @ 1/30th of the monthly allowance for each day from the amount

of travelling allowance Such officers shall record a certificate on their travelling allowance bill as to whether or not the conveyance in respect of which the allowance is granted has been used in making the journey

(4) The drawal of conveyance allowance during leave, temporary transfer and joining time shall be regulated as follows

(a) Conveyance allowance granted on the condition of maintaining motor car/motor cycle shall not be admissible during

(i) joining time leave the period of temporary transfer or training treated as duty and also during holidays prefixed to leave or holidays suffixed to leave and joining time.

(ii) Any period of more than 15 days at a time during which a Government servant in receipt of conveyance allowance is absent from headquarters or duty or does not maintain a motor car/motor cycle or the motor car/motor cycle maintained by him remains out of order or is not used for official journey for any other reasons

(b) Conveyance allowance whether granted on the condition of maintaining his own cycle or cycle provided by the Government shall be admissible during leave or temporary transfer and during joining time

(c) Conveyance allowance granted on the condition that a horse, camel or any other animal is maintained may be drawn during leave or temporary transfer or joining time

(d) A conveyance allowance to which obligation of maintaining a motor car/motor cycle or horse or any other animal is not attached, shall not be admissible during leave, temporary transfer, joining time or training period treated as duty

Note —1 Leave means total leave of all kinds not exceeding 120 days and the 1st 120 days of the leave if the actual duration of the leave exceeds that period but does not include extraordinary leave, study leave and leave preparatory to retirement/refused leave/terminal leave whether running concurrently with notice period or not When vacation or holidays are combined with leave, the entire period of vacation or holidays and leave should taken as one spell of leave

2 Temporary transfer means a transfer to duty in another station which is expressed to be for a period not exceeding four months For purposes of this rule it includes deputation Subject to the limit of four months, if the temporary duty is subsequently extended beyond four months in all will remain intact upto the date of the order of extension

(5) A Government servant who is granted conveyance allowance on the condition of maintaining a mo or vehicle or cycle or any animal shall

record on the pay bills for the month of January and July every year a certificate in the form given below which shall be countersigned by the controlling authority

"Certified that I have actually maintained the motor car/motor cycle/cycle/animal during the period for which conveyance allowance has been claimed by me and that the conditions prescribed in rule 18 of the conveyance allowance rules for drawal of conveyance allowance have not been violated"

Sub —Grant of Conveyance Allowance to blind and Orthopaedically handicapped Government servants

The question regarding grant of Conveyance Allowance to the Government servants who are blind or are orthopaedically handicapped with disability of lower extremities has been under consideration of Government The matter has been considered and the Governor has been pleased to order that conveyance allowance to the blind and orthopaedically handicapped Government servants may be allowed @ 1 % of their pay not exceeding Rs 50 -p m subject to the following conditions —

(i) An orthopaedically handicapped employee will be eligible for conveyance allowance only if he has a minimum 40% permanent partial disability of both the upper and lower extremity deformities

(ii) The conveyance allowance will be admissible to the orthopaedically handicapped employees on the recommendation of the Head of Orthopaedics Department of a Government Hospital

(iii) In the case of a blind employee, the allowance will be admissible on the recommendation of the Head of Opthalmological Department of a Government Hospital

(iv) The allowance will not be admissible during leave (except Casual Leave), joining time or suspension

2. All Head of Departments will be competent to sanction conveyance allowance under these orders The Government servants concerned shall accordingly apply for the grant of conveyance allowance to their Head of Departments It shall be the responsibility of the Head of the Department concerned to refer the cases of the concerned employees to the appropriate medical authorities for obtaining their recommendations for the grant of the conveyance allowance The allowance shall be granted with effect from the date the recommendations of the concerned medical authority is received by the Head of Department

[Finance Department Order No F. 10 (4) F D'/Gr-2/76, dated 4-11-1978 ]

**Sub Grant of Conveyance Allowance to Blind and Orthopaedically handicapped Government servants**

The undersigned is directed to refer to this department Order of even number dated 4-11-1978 on the subject noted above and to say that some

doubts were raised in regard to applicability of condition No (i) laying down minimum 40% permanent partial disability of both the upper and lower extremity deformities for the purpose of treating a Government servant as orthopaedically handicapped to make him eligible for grant of conveyance allowance

2. The matter has been considered and it has been decided that the conveyance allowance shall be allowed to a Government servant if he or she has a minimum of 40% permanent partial disability of either upper or lower limbs or 50% permanent partial disability of both upper and lower limbs together For purposes of estimation of disability, the standards as contained in the Manual for Orthopaedic Surgeon in Evaluating Permanent Physical Impairment brought out by the American Academy of Orthopaedic Surgeons, U S A, and published on their behalf by Artificial Limbs Manufacturing Corporation of India, G T Road, Kanpur shall apply Other conditions for the grant of conveyance allowance shall however, remain unchanged

3 The conveyance allowance will be admissible to the Orthopaedically handicapped employees on the recommendation of the Head of Orthopaedics Department of Government Hospital

4 In cases where an Orthopaedically handicapped Government servant is required to undertake journey from the place of his posting to the nearest Government hospital in the State in order to obtain the required certificate from the Head of Orthopaedic Department, he shall be treated as on duty for the period of the journey and the actual stay at the Head Quarters where the hospital is situate He shall also be allowed Travelling Allowance as on tour for such a journey without halting allowance on production of a certificate of attendance given by the hospital authorities

5 These orders take affect from the date of issue

(Order No F 10 (4) FD (Gr 2)/76 Dated 15-1 1980)

Sub —House Rent Allowance Rules

In exercise of powers vested in them under Rule 42 of the Rajasthan Service Rules, Government hereby makes the following Rules for the grant of House Rent Allowance to Government Servants —

1 Applicability —(1) These Rules shall apply to Government servants who are posted within the municipal limits of the following towns —

(i) Cities and towns which are District Head Quarters in the State,

(ii) Mt Abu,

(iii) Beawar

This amendment shall be deemed to have come into force with effect from 1-3-1979

(Substituded vide Order No F 12 (2) (2) F D /Gr 2/77, dated 17-4-79)

(2) These rules shall not apply to :—

(i) staff employed on Daily wages or worked charged employees.

(ii) officers employed on contract unless specific term in regard to admissibility of house rent allowance has been provided in the terms of contract

(3) They shall be deemed to have come into force with effect from 1st March, 1977.

2 **Definitions** :—For the purpose of these rules .

(i) "Pay" means pay as defined in rule 7 (24) of Rajasthan service Rules

(ii) "Rent" means the charges paid by a Government Servant as consideration for unfurnished accommodation occupied by him if he is a tenant, and gross rental value of the house as assessed for municipal purposes or otherwise without deduction of the rebate of 10 percent on account of repairs, if he is an owner, and shall in both cases include municipal and other taxes, except charges levied separately like conservancy, water and electricity charges etc that are legally payable by the occupier

(iii) "family" means a Government servant's wife/husband child and other persons residing with and wholly dependent upon him/her. A Husband/Wife/Child/Parent having independent source of income is not treated a dependent upon him except when he is in receipt of pension including pension equivalent of death-cum retirement gratuity or other retirement benefit not exceeding Rs 250/-per month

(Substituted vide Notification No F 2 (2) F D. (Gr. I)/77, dated 14-1-78)

2 (iv) "Government" means Government of Rajasthan.

The above amendment shall be deemed to have come into force with effect from the date from which the House Rent Allowance Rules were introduced from time to time

[Finance Department Order No F. 12 (2) (2) F. D /Gr 2/77, dated 15-6-1978]

3. **When not Admissible** :—The House Rent Allowance shall not be admissible to a Government servant :

"(i) (a) who is occupying Government owned or leased or requisitioned accommodation.

(b) who is occupying accommodation belonging to Devasthan Department or any other Government Department."

(Substituted vide Order No. F. 12 (2) (2) F. D /(Gr. 2)/77, dated 24 8-79)

"(c) Who is occupying accommodation belonging to U.I T./Municipality/Local Fund Bodies or any other autonomous body."

[Finance Department Order No F. 12 (2) F. D./(Gr 2)/77, dated 10-10-79.]

(ii) Who accepts allotment of Government Accommodation, from the date of occupation, or from eight day after the date of allotment of government accommodation, whichever is earlier.

(iii) (a) Who shares Government accommodation allotted rent free to another Government servant or who resides in accommodation allotted to his wife/her husband or to his/her parents son/daughter or autonomous public undertaking or bodies or corporation or semi-Government organisations such as Municipality etc.

(b) if his wife/her husband has been allotted family accommodation at the same station by the Central Government, State Government or autonomus public underaking or Body or Corporation or semi Government organisation such as Municipality etc

(iv) Who lives in a rented house with his wife/husband or in a separate house at the same station (there being no legal divorce between husband/wife) and wife/husband is in receipt of House Rent Allowance from any source other than Government under the rules applicable to him/her in respect of his/her employment

4 **When Admissible** —(1) (i) A Government servant who is living in a rented accommodation shall be entitled to house rent allowance at the rates mentioned in Rule 5 of these rules

(ii) If part of rented accommodation occupied by a Government servant is sublet or is shared by one or more adults not belonging to Government servants' family whether Government servant or not, a reduction of 40% shall be made from the amount of House Rent Allowance payable to the Government servant under these rules

Exception . 1 In case where both husband and wife or children/parents are in the service of Government and are living together in a rented accommodation at a station where House rent allowance is admissible, one of them getting higher pay be entitled to claim house rent allowance and no reduction from house rent allowance shall be made

2. In case where both husband and wife are in the service of Government and are living separately in a rented house (there being no legal divorce between them) at the same

station where house rent allowance is admissible one of them getting higher pay shall only be entitled to claim House Rent Allowance

(iii) The allowance shall be granted to him from the date of occupation of the rented accommodation on his making an application in accordance with the procedure prescribed under these rules provided, however, that if the said application is not made within one month of the date of occupation of the accommodation, the allowance shall be admissible from the date of application

**Order** —Government have recently issued House Rent Allowance Rules vide Finance Department Notification No F 12 (2) (2) FD (Gr 2)/77 dated 30 3 77 effective from 1 3 1977 In acco dance with the provisions contained in clause (iii) of sub Rule (1) of rule 4, house rent allowance is admissible to a Government servant from the date of his application or from the date of occupation of rented accommodation if the application has been made within one month from the date of occupation of the rented accommodation

2 Some doubts have been raised in regard to application of provision of Rule 4 (1) (iii) on account of retrospective application of the aforesaid rules with effect from 1-3 1977 The matter has been examined and it has been decided tha Government servants may be permitted to draw house rent allowance with effect from 1-3-1977 in case they make application in accordance with the procedure prescribed under these rules upto 30-6-1977

[Finance Department Memo No F 12 (2) (2) FD (Gr. 2)/77 dated 12 5-1977]

(2) (i) A Government servant living in a house owned by him, his wife, children father or mother whose pay exceeds Rs 1000/- p m shall also be entitled to house rent allowance at the rates mentioned in Rule 5 of these rules In such cases, the gross rental value of the house, or if he is not in occupation of the entire house, of the portion of the house actually occupied by him (as ascertained from its assessed value for municipal purposes or otherwise) without deduction of rebate of 10 per cent on account of repairs and including municipal and other taxes that are legally payble by the owner other than 'service taxes' levied separately and described as such, shall be taken as the rent paid by him for private accommodation for the purpose of admissibility of house rent allowance under these rules

(ii) When separate amount of assessed value is not available in respect of a portion of a house, it will be calculated proportionately with reference to the *plinth area actually* in the occupation of a Government servant.

(iii) In the case of a Government servant living in a house owned by a Hindu undivided family in which he is a coparcener, house rent allowance will be regulated with reference to the gross rental value as in (i) above of the portion of the house actually in his occupation and not on the basis of the rent which he claims to pay to the Manager of the Hindu undivided family

(3) (i) A Government servant living in a house owned by him, his wife, children, father or mother or in a house owned by a Hindu undivided family in which he is a coparcener, and who is drawing pay upto Rs 1 000/- p m shall be entitled to house rent allowance at the rate mentioned in rule 5 irrespective of production of a certificate of assessment of gross rental value by the Municipal Authorities for the purpose of claiming House Rent Allowance under these rules

"(3) (ii) A Government servant living in a house owned by him his wife, children, father or mother or in a house owned by a Hindu undivided family in which he is a coparcener and who is drawing pay above Rs 1000/- p m shall be entitled to house rent allowance at the same rates to which an employee drawing pay of Rs 1 000/ is entitled if he does not produce certificate of gross rental value from Municipality "

Note 1 —The grant of House Rent Allowance to Government servants referred in sub-rule (2) & (3) of this rule will be subject to the fulfilment of the same conditions as apply to Government servant residing in rented accommodation

(Sub rule 3 (ii) and noted No 1 inserted vide Order No F 12(2)(2)F D (Gr 2) 77 dated 23 4 77 effective from 1 3 77)

Note 2 —*For the purpose of sub rule (2) & (3) of this rule, a Government* servant living in a house purchased on hire purchase basis from the Rajasthan Housing Board shall be deemed to be owing a house for the purpose of these rules and that he shall be entitled to house rent allowance, if otherwise admissible under these rules '

The abve amendment (Note No 2) snall come into force with effect from 1-10-1977

(Inserted vide No F 12 (2) (2) FD (Gr 2)/77, dt 5 10-1977)

(4) In case of a Government servant who owns a house at a place of duty but resides in a rented house instead, house rent allowance shall be paid in respect of the rented house, if otherwise admissible

Rule 5 —Rates of House rent Allowance —(1) The House Rent Allowance to a Government servant if admissible under these rules shall be granted at the rates indicated below —

| Pay Slabs | Rate |
|---|---|
| Below Rs 350/- | Rs 20/-p m |

| | |
|---|---|
| Rs. 350/- & above but below Rs. 450/- | Rs. 30/-p. m. |
| Rs. 450/- & above but below Rs 550/- | Rs. 40/-p. m. |
| Rs 550/- & above but below Rs 700/- | Rs. 50/-p. m. |
| Rs. 700/- & above but below Rs 850/- | Rs. 60/-p. m. |
| Rs 850/- & above but upto Rs. 1000/- | Rs. 70/-p. m. |
| Above Rs 1000/- | An amount equal to difference between rent paid & 10% of his pay subject to the limit of 8% of pay. |

(2) In case the actual amount of rent paid by a Government servant is less than the amount admissible under this rule, the house rent allowance in such a case shall be limited to the actual amount of rent paid by him.

(3) In case a Government servant drawing pay exceeding Rs. 1,000/- can not claim house rent allowance at the rates applicable to him under these rules shall draw house rent allowance at the same rate to which an employee drawing pay of Rs. 1,000 is entitled under this rule.

(Sub-rule 3 has been inserted vide order F 12 (2) (2) FD (Gr. 2) 77 dated 23-4-77 effective from 1-3-77)

**Rule 6. Regulation of House Rent Allowance in Different Circumstances :**—The drawal of house Rent Allowance shall be regulated as follows in the following cases :

(a) **During Leave or Temporary Transfer :**—A Government servant shall be entitled to draw House Rent Allowance during leave or temporary transfer at the same rate at which he was drawing before proceeding on leave.

Note 1. "Leave" means total leave of all kinds not exceeding 120 days and the first 120 days of the leave if the actual duration of the leave exceeds that period and in the case of leave preparatory to retirement, privilege leave not exceeding 120 days taken as leave preparatory to retirement; but does not include extraordinary leave, study leave and refused leave/terminal leave whether running concurrently with notice period or not. When vacation or holidays are combined with leave, the entire period of vacation or holidays and leave should be taken as one spell of leave.

2. The limit of 120 days referred to in 'Note 1' shall be extended to 240 days for the purpose of grant of this allowance in case of a Government servant suffering from T. B., Cancer, Leprosy or a Mental disease during the period of his leave taken on medical certificate from a Senior or Junior Specialist, or an officer of the

Rajasthan Medical Service (Collegiate Branch), speciality in the disease, irrespective of the fact whether the leave is on medical certificate from the very commencement or in continuation of other leave as defined in Note 1

3. "Temporary Transfer" means a transfer to duty in another station which is expressed to be for a period not exceeding four months, For purposes of this rule it includes deputation Subject to the limit of four months, the total house rent allowance, if the temporary duty is subsequently extended beyond four months in all, will remain intact upto the date of the order of extension.

(b) **During Joining Time —**

(i) A Government servant shall be entitled to draw house rent allowance during joining time at the same rates at which he was drawing at the station from which he was transferred Where, however, joining time is affixed to leave, joining time shall be added to the period of four months/120 days referred to in Note 1 below clause (a) above unless in any case it is otherwise expressedly provided

"(6) (b) (ii) A Government servant who was in receipt of House Rent Allowance at his old station and who, on transfer leaves his family behind at the old station because he has not rented a house or had not been allotted Government accommodation at the new station, will be eligible four house rent allowance at the rate at which it was drawn by him at the old station for a period of 6 months from the date of his assumption of charge at the new station (irrespective whether House Rent Allowance is admissible or not at the new station) or till he rents a house or allotted Government accommodation at the new station whichever is the earliest "

These orders take effect from 1-12-1980

(Substituted vide order No F 12 (2) (2) FD (Gr 2) 77 dated 22-12 1980)

(c) **During Training Within India** —A Government servant who is sent on training in India and whose period of training is treated as duty under rule 7 (8) (b) (i) of Rajasthan Service Rules shall be entitled to draw House Rent Allowance during the entire period of such training at the same rates at which he was drawing at the station from which he proceeded of training

(d) **During Suspension** —A Government servant shall be entitled to draw House Rent Allowance at the rates at which it was paid to him on the date of suspension subject to fulfilment of conditions laid down in rule 53 (b) of Rajasthan Service Rules

"Note 1 If the Headquarters of the Government servant under suspension are changed in the Public interest by orders of the competent authority at a place where house r nt allowance is admissible under these rules, he shall be entitled to get house rent allowance as admissible at the new station irrespective of the falt whether he was getting house rent allowance on the date of suspension or not The house rent allowance shall be calculated with reference to pay who was drawing on the date of suspension "

The above amendment shall come into force with immediate effect.

(Above note substituted vide order F 12 (2)(2) FD(Gr 2) 77 dated 7 1 1981)

2 A Government servant under suspension who was in receipt of house rent allowance and whose headquarters are changed at his own request to a place where house rent allowance is admissible shall not be entitled to house rent allowance at the new station irrespective of the fact that the house rent allowance is admissible at the new station

**Clarification** —A Government servant who was placed under suspension before 1 3 1977 and is living in a house owned by him shall be entitled to House Rent allowance w e from 1-3 1977 if other wise admissible under these rules on the basis of pay which he was drawing immediately before suspension

[Finance Department Order No F 12 (2) (2) FD (Gr 2) 77 dated 28 6-1977]

(e) **During Training Abroad** —A Government servant who is deputed of training abroad by the State Government under various training schemes of Government or operated through non official channels as a Government sponsored candidate, the House Rent Allowance shall be admissible during the entire period of training at the same rates at which he would have drawn at the station from which he was deputed for training abroad but for his deputation abroad in accordance with Government of Rajasthan Decision No 1 below Rule 51 of Rajasthan Service Rules

(f) **During Re Employment** —The drawal of House Rent Allowance shall be regulated below —

(i) if the pay plus pension exceeds the maximum pay of the post in which re-employed, the allowance shall be calculated on that maximum

(ii) if the pay on re-employment if fixed without taking into account the entire amount of pension or part thereof the amount of pension so ignored shall not be taken into account for the purpose of grant of house rent allowance

(iii) In all other cases the allowance shall be calculated on pay plus pension

Note —For the purpose of clause (f) 'pension' means gross pension including pension equivalent of death-cum retirement gratuity and other retirement benefits, if any,

(g) **During Awaiting Posting Orders** —A Government servant shall be entitled to draw House Rent Allowance during the period of awaiting posting orders treated as duty if it is admissible at the place where he is awaiting posting orders and not otherwise

**Rule 7** Regulation of house rent allowance in case of Government servants posted outside the State.

The Government servants posted outside the Sta e shall be entitled to house rent allowance as follows —

(a) In cases where a Government servant posted outside the State (in "A" Class and 'B" Class cities as classified by the Central Government from time to time for the purpose of admissibility of house rent allowance) is provided with residential accommodation by the Government in a building taken by the Government on hire or leave basis, he shall be required to pay rent at the rates laid down under Rajasthan Civil Services (Determination and Recovery of Rent of Residential Accommodation) Rules 1958

(b) Where the accommodation is not provided by the Government for residential purpose a Government servant shall be entitled to house rent allowance in accordance with House Rent Allowance Rules applicable to Central Government servants or according to the House Rent Allowance Rules of the State concerned, whichever is advantageous to him '

(Inserted as new rule 7 vide order No F 12 (2) (2) (Gr 2) 77 dated 11 6-1980 and made effective or immediate basis)

**Rule 8** **Certificates** —(1) Every Government servant shall furnish alongwith his first claim for house rent allowance, a certificate in the form given in Annexure 'C' or D', whichever is applicable to him If, however, there is a change in any of the provisions of the certificate last given, resulting in increase or decrease of the allowance payable to him, a fresh certificate should be furnished as soon as the change occurs

(2) The drawing and disbursing officer shall record the following certificates in January and July establishment pay bill in which House Rent Allowance is drawn by them

(i) Certified that the Government servants for whom House Rent Allowance is drawn in this bill have not been provided with Government accommodation

Note —Line 2 in rule 8 (1) amended and clause (ii) of sub rule (2) has been deleted vide order F 12 (2) (2) (Gr 2) 77 dated 23 4-77 and made effective from 1-3-77

Rule 9 :—**Procedure for Grant of House Rent Allowance** :—(1) Every Government servant who is eligible for grant of House Rent Allowance under these rule shall made an application in the prescribed form given in Annexure 'A' or 'B' as the case may be to the Head of office and if he is himself a head of office/head of department to the next higher-administrative authority for sanction of House Rent Allowance "

(Substituted vide Order No. F. 12(2)(2) FD/Gr. 2/77, dated 17-7-78)

(2) The Head of Office/Head of Department shall invariably send a copy of the application form submitted by the Government servant to the authority competent to allot Government accommodation so that the names of the Government servant is enlisted for the purpose of allotment of Government accommodation immediately The House Rent Allowance shall be sanctioned to the Government servant without waiting for non-availability certificate from the authority competent to allot residential accommodation.

Note —Rule 7 and have been re numbered as Rule 8 and 9 vide order No F. 12(2)(2) FD (Gr 2) 77 dated 11 6 1980 with immediate effect.

## ANNEXURE 'A'

## APPLICATION FORM FOR CLAIMING HOUSE RENT ALLOWANCE IN RESPECT OF GOVERNMENT SERVANTS LIVING IN RENTED ACCOMMODATION.

1 Name

2 Designation & Department in which employed.

3. Pay including personal pay, special pay if any (indicate amount of gross pension and pension equivalent of death-cum retirement gratuity or any other retirement benefit if the claimant is re-employed pensioner.

4 Name of the Land Lord and complete address of the rented house.

5. Detail of accommodation taken, on rent (No of rooms, kitchen, W C. and bath, verandah etc , be shown separately)

6. Monthly rented paid.

7. Amount of House rent Allowance claimed as admissible under rule.

8. Whether certificates required under rules are attached.

9. Date of occupation of the rented accommodation

Signature
Designation
Date Department

FOR USE IN THE OFFICE OF HEAD OF OFFICE

Certified that .—

(1) I have examined the claim for House Rent Allowance and I am satisfied that the claim is in accordance with the rules The certificates prescribed by Government have been obtained from the Government servant

**(2) House Rent Allowance of Rs ____________ is may sanctioned

Signature
(Head of office)
Date Designation
No. . ..... Date ...... .

Copy forwarded to XEN/Collector/Dy Secretary, General administration Department Jaipur for alloting Government accommodation, if available.

Signature
Designation

ANNEXURE 'B'

APPLICATION FORM FOR CLAIMING HOUSE RENT ALLOWANCE IN RESPECT OF GOVERNMENT SERVANTS LIVING IN AN ACCOMMODATION OWNED BY HIM OR BY HIS/HER WIFE/HUSBAND/CHILDREN/FATHER/MOTHER OR COPARTNER IN A HINDU UNDIVIDED FAMILY

1. Name.

2 Designation & Department in which employed

3. Pay including personal Pay, special pay, if any (indicate amount of gross pension and pension equivalent of death-cum retirement gratuity or any other retirement benefit if the claimant is a re-employed pensioner.)

4. Name of the owner of the house and his/her relation with the owner of the house with complete address of the house.

5. Details of accommodation (number of rooms, kitchen w. c. and bath verandah, chowk etc.) occupied by him.

6. Monthly gross rental value (as assessed for Municipal purposes or otherwise) of the portion in which he/her is residing. Attach certificate of assessment of gross rent value from municipality in support thereof.

Note : This does not apply to Government servants who are drawing pay upto. Rs. 1000/- p m.

7. Amount of house rent allowance claimed and admissible under rules.

8. Whether certificates required under rules are attached.

Signature
Designation
Date Department

FOR USE IN THE OFFICE OF HEAD OF OFFICE

Certified that :

(1) I have examined the claim for house rent allowance and I am satisfied that the claim is in accordance with the rules. The certificates prescribed by Government have been obtained from the Government servant.

(2) House Rent Allowance of Rs. is hereby sanctioned.

Signature
Head of office with Designation

Date.

ANNEXURE 'C'

CERTIFICATE TO BE FURNISHED BY A GOVERNMENT SERVANT WHO IS A LIVING IN A RENTED ACCOMMODATION.

Certified that

1. I am living in a rented house situated within municipal limits of................. ..........................................
..............................(Name of City/Town) and

paying a monthly rent of Rs
to Shri on account of
(Name of house owner)
residential accommodation occupied in house No
Address

2 I have not been provided with Government accommodation

3 No portion of accommodation in respect of which house rent allowance is claimed is sublet or occupied by adults(s) other than those belonging to my family or who are wholly dependent upon me

4 My wife/husband is not in Government service or in other public/private sector employment at the station of my posting

OR

my wife/husband is in the service of Government or is in the service of public/private sector employment at the station of my posting and that he/she is not in receipt of house rent allowance from Government/other employer

(Strike out whichever is inapplicable)

5 Certified that the rent actually paid by me for the accommodation under my occupation is/was not less than the amount of house rent allowance admissible and received by me under the rules during the period from
to

6 My wife/husband has not been allotted family accommodation at the same station by the Central Government State Government an autonomous public undertaking or semi Government organisation

Signature of the
Government servant

Note 1 Rent receipt are required to be produced by the Government servants whose pay is Rs 1 000/-p m or more

2 If the case if covered by exception below rule 4 the fact should be mentioned in this certificate

## ANNEXURE 'D'

### CERTIFICATE TO BE FURNISHED BY A GOVERNMENT SERVANT WHO IS LIVING IN A HOUSE OWNED BY HIM HIS WIFE CHILDREN, FATHER OR MOTHER OR BY HINDU UNDIVIDED FAMILY IN WHICH HE IS A CO-PARCENER FOR THE GRANT OF HOUSE RENT ALLOWANCE UNDER THESE RULES

Certified that—

1 I am residing in a house owned by me, my wife/son/daughter/father/mother / Hindu undivided family in which I am a co-parcener situated at (full address) and that the monthly rental value there of as assessed for municipal purpose or otherwise (without deduction of the rebate of *10% an account of repairs is Rs This includes municipal and other taxes payable by owner as follows

(i) Municipal Tax

(ii) Urban Assessment tax

2 that accommodation in respect of which the allowance is claimed is not occupied normally by and person other than members of my family as defined in clause (iii) of Rule 2 of these rules

3 that my wife/husband has not been allotted accommodation at the same station by the Central Government, State Government, an autonomous public undertaking or semi Government organisation such as Municipality etc

Signature of the Government servant

Date

* Monthly gross rental value is required to be indicated by to Government servant drawing pay above Rs 1000/- p m

[Finance Department Notification No F 12 (2) (2) F D /(Gr 2) 177 dated 30 3 1977 ]

## Rates of Dearness Allowance and Rules for the drawal of Dearness Allowance

### Rates of Allowances and applicability

11 (1) In supersession of all existing orders regulating the grant of dearness allowance, special grain allowance etc, it is ordered that the following rates of dearness allowance shall be applicable with effect from the 1st April 1950 to all Gov rnment servants within the rule making power of the Rajasthan Government —

| Pay | Rates of dearness allowance |
|---|---|
| Upto Rs 39/ per month | Rs 12/- per month |
| Rs 40/ to Rs 99/- per month | Rs 15/- per month |
| Rs 100/- to Rs 199/ per month | Rs 20/ per month |
| Rs 200/- to Rs 469 per month | Rs 25/- per month |
| Rs 500/- to Rs 699/- per month | Rs 30/ per month |
| Rs 700/ to Rs 1000/ per month | Rs 40/- per month |

Government servants in receipt of a pay in excess of Rs 1 000/- shall draw such amount as dearness allowance as together which their pay will make up Rs 1,040/-

**Note**

Pay shall include special pay personal pay and in the case of constables and head constables literacy allowance

**To whom not applicable**

(2) This order will not apply to Government servants—

(a) serving on contract,

(b) whose services have been borrowed from another Government,

(c) who are part time employees or paid from contingencies

(d) such classes of staff in the Land Revenue or other departments as may be notified

(e) Industrial employees (that is to say, employees other than administrative executive, ministerial and Class IV services) in Government Presses, Water and Electricity undertakings and P W D Workshops

1. Inserted by G A D Order No F 10 (35) GA/50 dated 12-7-1950

**Government of Rajasthan's Decision**

**Admissibility of Unit Dearness Allowance :—**

[1]A doubt having arisen regarding the scope of para 2 of Finance Deptt. Order No. F. 8 (17)-R/55 dated 6-9-1956 regarding drawal of dearness allowance at old Unit scale by precovenant employees opting in favour of Unit rate of pay it has been decided that only those Government servants who have retained unit pay in preference to the Unified Scales of pay finally under Rule 4 of Rajasthan Civil Services (Unification of Pay Scales) Rules & Schedules, 1950 are entitled to draw dearness allowance at old Unit scale in terms of the above order It is not the intention of the above order that this benefit may also be allowed to Government servants who have opted the Unified Pay Scales from a date later than 1 4-1950.

**Revised rates and their applicability :—**

[2]2. (1) Instead of the rates of dearness allowances sanctioned in Government order No 1, it is ordered that with effect from 1st January, 1951 the following rates of dearness allowance shall be applicable to all Government servants under the rule making power of the Rajasthan Government.

| Pay | Rates of dearness allowance |
|---|---|
| Less than Rs. 40/- per month | Rs. 15/- per month |
| Rs. 40/- and above, but less than Rs. 60/- per month | Rs 20/- per month |
| Rs 60/- and above, but less than Rs 100/- per month | Rs. 25/- per month |
| Rs 100/- and above, but less than Rs. 200/- per month | Rs. 30/- per month |
| Rs. 200/- and above, but less than Rs 500/- per month | Rs 35/- per month |
| Rs. 500/- and above, but less than Rs. 700/- per month | Rs. 40/- per month |
| Rs 700/- to Rs. 1,000/- per month | Rs. 50/- per month |

Government servants in receipt of a pay in excess of Rs. 1,000/- shall draw such amount as dearness allowance, as together with their pay will make upto Rs 1,050/-

1 Inserted F D Order No F 8 (17) R/55 (FD) A/Rules, dated 7-3-1957.
2. Inserted by F.D. Order No F. 7 (1)R/51 dated 11-1-1951.

**To whom not applicable** —

(2) This order will not apply to Government servants —

(a) serving on contract,

(b) whose services have been borrowed from another Government

(c) who are part time employees or paid from contingencies

(d) such classes of staff in the Land Revenue or another departments as may be notified

(e) industrial employees (that is to say, employees other than administrative executive ministerial and Class IV services) in Government Presses, Water and Electricity undertakings and P W D Workshops

**Government of Rajasthan s Decisions**

*1 In partial modification of rates of dearness allowance sanctioned in Government Order No 2 it was ordered that Government servants whose emoluments (i e pay plus dearness allowance) do not exceed Rs 100/ p m shall be allowed to draw an **ad hoc** increase of Rs 5/- p m in their dearness allowance with effect from 1-4 1957 as under —

| Pay | Rates of dearness allowance |
|---|---|
| *Less than Rs 40/- p m* | Rs 20/- p m |
| Rs 40/- and above but less than Rs 60/- p m | Rs 25/- p m |
| Rs 50/- and above, but upto Rs 70/- p m | Rs 30/- p m |

Government servants in receipt of pay above Rs 70/- p m shall b entitled to the **ad hoc** increase in their dearness allowance equal to the amoun by which their pay plus dearness allowance falls short by Rs 100/- p m Th **ad hoc** increase will be admissible only to those employees whose presen scale of dearness allowance is less than the scale of dearness allowance admissible to corresponding emp oyees of the Central Government

[1]2 As a measure of furth-r relief to the lcw paid employees the Governor has been pleased to order that Government servants drawing pay upto Rs 2*0/- p m under his r e m k ng power to whom Finance Department, Order No F 7 (1) R/51, dated the 11 1 1951 read with Order No F 1 (182)-A-Rules/56, dated 20 3 1957 applies, shall be allowed to draw a

* Inserted by F D Order No F 1 (182) A Rules/56, dated 20 3-1957

1 Inserted vide F D Order No F 1 (182) F D A/Rules/58 dated 2 10 1958

further ad hoc increase of Rs 5/- p m in dearness allowance with effect from 1-10 1958 The revised rates of dearness allowance as a result of above ad hoc increase in dearness allowance will be as under —

| Pay | New rates |
|---|---|
| 1 Less than Rs 40/- | Rs 25/- |
| 2 Rs 40/- and above but less than Rs 60/- | Rs 30/- |
| 3 Rs 60/- and above upto Rs 70/- | Rs 35/- |
| 4 Above Rs 70/- but less than Rs 100/- | Rs 30/- |

NOTE

[1]Those entitled to marginal adjustments on account of ad hoc increase in D A under Finance Department, Order No F 1 (182) A Rules/56, dated 20 3 1957 shall continue to be so entitled in addition to the above ad hoc increase of Rs 5/- till the pay reaches the stage of Rs 75/-

This will take effect from 1-10-1958

| | |
|---|---|
| 5 Rs 100/- and above but less than Rs 200/- | Rs 35/- |
| 6 Rs 200/- and above but upto Rs 250/- | Rs 40/- |

NOTE —Government servants in receipt of a pay above Rs 250/- but less than Rs 255/ shall draw such amount as dearness allowance as together with their pay, will make upto Rs 290/-

The ad hoc increase in dearness allowance will be admissible to those employees whose present scale of dearness allowance including dearness pay is less than the scale of dearness allowance admissible to corresponding employees of the Central Government

[2]3 As a measure of further relief to the low paid Government employees, it has been ordered that the Government servants to whom, Finance Department Order No F 7 (1) R/51, dated 11 1-1951 read with Finance Department Orders No F 1 (182) FD/A/Rules/56, dated 20-3 1957 and 2 10 1958, as modified vide Finance Department Order No F 1 (C) (2) FD/A/Rules/59 dated 27 4 1960 apply, drawing emoluments upto Rs 315/- p m may be allowed an ad hoc increase of Rs 5/- p m in the dearness allowance with effect from Ist July, 1960 In case the total emoluments are above Rs 315/- but less than Rs 320/-, the

1 Added vide F D Order No F 1 (c) (2) F D A/59, dated 27 4 1960

2 Inserted by F D Order No F 1 (e) (12) FD-A (Rules)/1960 dated 18-10-1960

amount of ad hoc increase will be such that the total emoluments come to Rs 320/-

Emoluments for the purpose of this Order shall mean pay (as defined in Rules 7 (24) of the Rajasthan Service Rules) plus Dearness Allowance including dearness pay)

The ad hoc increase sanctioned above will not be admissible to persons in receipt of protected Dearness pay under Rule 14 of Rajasthan Civil Services (protection of Service Conditions) Rules, 1957

£4 The rates of dearness allowance admissible to State Government, employees shall be revised as follows —

| Pay | Dearness Allowance |
|---|---|
| Below Rs 150/- | Rs 10/ |
| Rs 150/- and above but below Rs 300/- | Rs 20/- |
| Rs 300/- and above | The amount by which pay falls short of Rs 320/- |

*The revised rates shall take effect from the 1st September 1961* in supersession of the rates prescribed in the Orders G A D No F 10 (35) GA/50 dated 12 7 1950 Finance Department Nos F 7 (1) R/51, dated 11 1 1951, F 1 (182) A/R/56 dated 20 3 1957 2 10 1958 F 1 (c) (2) FD/A/59, dated 27-4 1960 and F 1 (c) (12) FD/A/60 dated 18 10 1960 and will be applicable to Government servants who elect or are brought on to the revised scale of pay under the Rajasthan Civil Services (Revised Pay) Rules 1961 No portion of the revised rates of dearness allowance will be treated as pay for any purpose

Government servants who elect to retain the existing scales of pay under the Rajasthan Civil Services (Revised Pay) Rules 1961 will however, continue to be eligible to draw dearness allowance at the rates in force on the 31st August 1961, so long as they continue to draw pay in the existing scales In the case of Government servants who are allowed to draw dearness allowance at the old rates, the provisions of Finance Department Order No 4641/58/F 7 A (14) FD/A/R/58 dated 2 3 1959 as amended from time to time treating a portion of dearness allowance as pay for certain purposes will continue to apply

The grant of dearness allowance whether it is drawn at the new rates mentioned in paragraph 1 above or at the rates in force on 31st August, 1961 will continue to be regulated in accordance with the rules for the drawal of dearness allowance given in Appendix XVI of the Rajasthan

£ Inserted vide F D Order No F 1 (51) FD A (R) 61 dated 18-12 1961

Service Rules, Volume II as amended or clarified from time to time except that —

(i) Government servants, who are entitled to the concession of free board and lodging as a condition of service and who elect the revised scales of pay introduced from Ist September, 1961, shall not be eligible for any dearness allowance at all

(ii) Dearness allowance will continue to be regulated during leave on the basis of leave salary at the old rates or the new rates according as leave salary is based on the old rates or revised rates of pay In cases where a Government servant has drawn pay and dearness allowance partly at the old rates and partly at the new rates during the ten months preceding the leave, the leave salary shall be the average of pay plus dearness allowance drawn at the old rates and pay drawn at the revised rates during the ten months preceding the leave The amount of dearness allowance shall then be calculated at the rates mentioned in paragraph 1 above on the basis of the leave salary so arrived at

@ 5 Some doubts have been raised regarding the scope of conditions prescribed in para 2 of Finance Department Order No F 1 (182) F-D. (A) Rules/56, dated 2-10 1958 The matter has been examined and it is clarified that the rates of dearness allowance applicable to Central Government employees on 30 10-1956 should only be taken into account for the purpose of para 2 of the aforesaid order and not any subsequent increase in dearness allowance sanctioned by Government of India on or after 1-11-1956

In view of the above clarification, persons who on or after 1-10 1958 drew Dearness Pay in accordance with the Rajasthan Services (Protection of Service Conditions) Rules, 1957 at the same rate as was admissible on 1-11-1956 will not be entitled to the ad hoc increase of Rs 5/- in Dearness Allowance sanctioned by the aforesaid order

$ 6. Vide para 3 of the Finance Department Order No F. 1 (C) (12) F D (A) Rules/60, dated 18-10- 960 the ad hoc increase in dearness allowance sanctioned under the aforesaid order was not admissible to employees in receipt of protected Dearness Pay under Rule 14 of the Rajasthan Civil Service (Protection of Service Conditions) Rules, 1957.

On reconsideration of the matter, it has been ordered that although these employees were, with effect from 1-4-1958, benefited by the grant of higher amount of Dearness Allowance (excluding Dearness Pay) than other

@ Inserted by F. D. Memo No F 1 (C) (7) F.D (A) Rules/60-I dated 9 1-1962.

$ Inserted by F. D. Order No F 1 (C) (7) F D A (Rules)/60-II dated 9 1-1962.

employees in accordance with paragraph 12 (vi) of Finance Department Order No 4641/58/F 7 A (14) F D (A) Rules/58, dated 2-3-1959 in addition to protected Dearness Pay, they may, as a special case, be allowed the ad hoc increase of Rs 5/ in Dearness Allowance with effect from 1-7 1960 subject to conditions laid down in Finance Department Order No F 1 (C) (12) F D (A) Rules/61 dated 18 10-1960 Accordingly para 3 of the Government Order dated 18 10 1960 referred to above may be treated as cancelled

[1]7 Attention is invited to Finance Department Order No F 1(182) A Rules/56, dated 20 3 1957 A question has been raised whether ad hoc increase in dearness allowance sanctioned under the aforesaid order is also admissible to employees of the former Ajmer State drawing pay in the Ajmer Scales of pay It is clarified that the ad hoc increase is admissible to employees of the former Ajmer State, subject to conditions laid down in the above mentioned order

[2]8 A question has been raised as to how the provisions of Finance Department, Order No F 1 (182) (A) Rules/56, dated the 20th March, 1957 read with Memo No F 1 (C) (7) F D (A) Rules/60, dated the 7th February, 1962 should be implemented for grant of ad hoc increase in dearness allowance to employees of former Ajmer State drawing pay in Ajmer Scales of pay and in receipt of Dearness Pay under Rule 14 of the Rajasthan Service (Protection of Service Conditions) Rules 1957

It is clarified that ad hoc increase would be admissible only to such employees whose emoluments (i e pay plus protected dearness pay plus dearness allowance at Rajasthan rates) do not exceed Rs 100/- P M

The last sentence of Finance Department Order, dated the 20th March, 1957 referred to above may be deemed to have been superseded

[3]9 A question has been raised as to whether the Government servants who are drawing pay in the revised pay scales and who are entitled to the concession of free board and lodging as a condition of service but are not provided rent free accommodation can be allowed to draw dearness allowance under Government of Rajasthan's Decision No 4 below Rule 2

The matter has been examined and it has been decided that such Government servants who are not provided rent free accommodation and

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1 Inserted by F D Memo No F 1 (c) (7) F D A (Rules) 60, dated 7 2 1962

2 Inserted by F D Memo No F 1 (c) (7) F D -A (Rules) 60, dated 30-3 1962

3 Inserted by F D Memo No F 1 (61) (7) FD A (Rules) 62 dated 13 1-1964

draw pay in the revised scales of pay may be allowed to draw dearness allowance in accordance with aforesaid order

%10 It has been ordered that with effect from 1st February, 1964 an ad hoc increase of Rs 5/- p m dearness allowance may be granted to the employees covered by the Labour Laws and employed in the State Government Enterprises subject to the adjustment against any increase in the rates of dearness allowance if granted hereafter on the basis of the report of the Revision Committee constituted under the Minimum Wages Act 1948

These Orders do not apply to those employees of State Government Enterprises whose wages are regulated in accordance with Central Wage Board reports

@11 In partial modification of Government of Rajasthan's Decision No 4 below rule 2 it has been ordered that Government servants drawing pay upto Rs 300/ p m in the Revised Pay Scales under the Rajasthan Civil Services (Revised pay) Rules, 1961, may be allowed to draw an **ad hoc** increase of Rs 5/- p m in Dearness allowance with effect from 1st March, 1964 The revised rates of Dearness Allowance as a result of above **ad hoc** increase in Dearness Allowance will be as under

| Pay | Revised rates of Dearness Allowance |
|---|---|
| Below Rs 150/ | Rs 15/- |
| Rs 150/ and above but below Rs 300/- | Rs 25/- |
| Rs 300/ and above | The amount by which pay falls short of Rs 325/- |

It has further been ordered that with effect from the said date viz the 1st March, 1964 an ad hoc increase of Rs 5/ p m in Dearness Allowance may also be allowed to Government servants drawing pay in the existing scales as defined in the Rajasthan Civil Services (Revised pay) Rules, 1961 whose emoluments do not exceed Rs 320/ p m In case the total emoluments are above Rs 320/ the amount of ad hoc increase will be such that the total emoluments come to Rs 325/

Emoluments for the purpose of para 2 of this order shall mean pay as defined in Rule 7 (24) of the Rajasthan Service Rules plus dearness allow wance (including dearness pay).

X12 In partial modification of Finance Department Order No F 1 (9) F D (Exp-Rules)/64 I, dated 30th March, 1964, it has been ordered

% Inserted by F D Order No F 1 (4) F. D (E-R) 64, dated 4-3-1964
@ Inserted by F D Order No F 1 (9)F D (Exp Rules) 64 I dated 30-3-1964
X Inserted by F D Order No F. 1 (9)F. D Exp Rules 64-I dated 23 9 1964

that Government servants drawing pay below Rs 400/-p m in the Revised Pay Scales under Rajasthan Civil Services (Revised Pay) Rules, 1961, may be allowed to draw Dearness Allowance with effect from 1st August, 1964 at the following rates —

| Pay | Revised rates of dearness Allowance |
|---|---|
| Below Rs 150/- | Rs 20/ |
| Rs 150/ to below Rs 300/- | Rs 30/ |
| Rs 300/- and upto Rs 320/- | The amount by which pay falls short of Rs 330/- |
| Above of Rs 320/- and upto Rs 390/ | Rs 10/ |
| Above Rs 39 /- | Amount by which pay falls short of Rs 400/ |

It has further been ordered that with effect from the said date viz, 1st August, 1964 an increase in the existing rates of dearness allowance sanctioned under para 2 of the aforesaid order may be allowed as follows —

| Emoluments | Increase in D A |
|---|---|
| Upto Rs 325/ | Rs 5/- |
| Rs 326/- and upto Rs 390/- | Rs 10/- |
| Rs 391/- and above | The amount by which the emoluments fall short of Rs 400/- |

@13 In modification of Government of Rajasthan s Decision No 10 below Rule 2 it is ordered that with effect from 1st August, 1964 a furt her increase of Rs 5/ p m in dearness allowance shall be granted to the employees in State Enterprises covered by the Minimum Wages Act other than those covered by Government of Rajasthan s Decision No 12 below Rules 2 subject to adjustment against total Minimum Wages which may be notified on receipt of the reports of the Revision Committee Constituted under the said Act

These orders do not apply to those employees of State Government Enterprises whose Wages are regulated in accordance with Central Wage Board reports

*14 D A as is allowed from time to time to regular employees of the Government shall also be allowed to the work charged employees other than casual labour

This order is effective from 1 3 1964

@ Inserted by F D Order No F 1 (4)F D (ER) 64 dated 23 9 1964

* Inserted by F D Order No F 2 (b) (6)F D (Exp Rules)/65 dated 5 3 1965

$ 15 With effect from 1st March, 1965 the rates of dearness allowance applicable to Government servants drawing pay in the Revised Pay Scales under the Rajasthan Civil Services (Revised Pay) Rules, 1961 shall be revised as follows —

| Pay per month | Revised rates of dearness allowance per month |
|---|---|
| Below Rs 150/- | Rs 25/- |
| Rs 150/- and above but upto Rs 540/- | Rs 35/- |
| Above Rs 540/- | Amount by which pay falls short of Rs 575/- |

With effect from the said date viz 1st March, 1965 the following increase in dearness allowance may also be allowed to Government servants drawing pay in the existing scales as defined in the Rajasthan Civil Services (Revised Pay) Rules, 1961 whose emoluments are below Rs 575/- p m

| Emoluments per month | Increase in Dearness Allowance per month |
|---|---|
| Upto Rs 330/- | Rs 5/- |
| Above Rs 330/- but below Rs 400/- | Rs 25/- |
| Rs 400/- and above but upto Rs 540/- | Rs 35/- |
| Above Rs 540/- | Amount by which emoluments falls short of Rs 575/ |

Emoluments for the purpose of para 2 of this order shall mean pay (as defined in Rule 7 (24) of the Rajasthan Service Rules) plus dearness allowance (including dearness pay)

@ 16 In supersession of Government of Rajasthan s Decisions No 10 & 12 above it has been ordered that dearness allowance to employees of State Government Enterprises and to Work-Charged and Casual Employees in all branches of the Public Works Department and other departments shall be paid as follows :—

1 Regular Civil employees of Government whose service conditions are regulated by the Rajasthan Service Rules will receive dearness allowance in accordance with Government of Rajasthan s Decision s No 11, 12 and 15 above

$ Inserted by F D Order No F 1 (14)F D (Exp Rules)/65 dated 27 3-1965

@ Inserted by F D Order No F 1 (1) FD (Exp-Rules) 61 dated 11-6-1965

2 Employees not subject to the Rajasthan Service Rules but drawing pay in scale (with separate element of Dearness Allowance or Consolidated) applicable to regular Government employees performing similar duties including persons covered by Rule 12 of the Rajasthan Public Works Department (Building and Roads) Including Gardens, Irrigation, Water Works and Ayurvedic Department, Work-Charged Employees Service Rules, 1964 will receive ad hoc increase in dearness allowance in accordance with Government of Rajasthan's Decisions No 11, 12 and 15 above

Daily rated employees and casual employees shall receive dearness allowance on the following basis —

| | | |
|---|---|---|
| (i) | Existing Personnel with continuous service of one year or more on 1 3-65 plus ad hoc increase of Rs 15/- p m with effect from 1-3-65 | Rs 60/- lump sum |
| (ii) | Existing personnel with continuous service of 6 months or more but less than one year on 1-3-1965 plus Rs 15/- with effect from 1 3 1965 | Rs 30/- lump sum |

Dearness allowance already granted to persons in the category (i) and (ii) above in pursuance of the superseded Government of Rajasthan's Decisions No 10 and 12 above will be adjusted against the amounts due in accordance with these orders

The total emoluments payable to persons in Category (2) and (3) will be treated as consolidated wages for purposes of compliance with the Minimum Wages prescribed under the Minimum Wages Act

This order shall not apply to employees of State Government Enterprises whose wages are regulated in accordance with the Central Wage Board Report, namely Ganganagar Sugar Company Limited (Sugar Mill Branch)

### Conditions for drawing allowances

*3 The Dearness Allowance shall be drawn subject to the following conditions —

### Pay for grant of allowance

(i) Subject to provisions of sub paras (vii) and (viii) below the term pay for purposes of the grant of Dearness Allowance includes only the pay, personal pay, special pay and literacy allowance as defined in rules 7 (24) (i) 7 (27), 7 (31) and Note 2 below rule 7 (24) respectively of the Rajasthan Service Rules

*Inserted by F D Order No. F 35 (40) F. 11/52, dated 30-12-1952

**Dearness allowance during leave**

(ii) (a) The allowance may be drawn during any period of leave, other than Study leave ' or 'Extraordinary leave'' in or outside India except that in the case of leave preparatory to retirement or terminal leave, it will be admissible during the first 120 days of the leave spent in India The allowance will not be admissible during any portion of leave preparatory to retirement spent outside India.

(b) The allowance during leave will be based on the "Leave Salary" actually drawn vide rule 97 of the Rajasthan Service Rules both for the purpose of monetary limits within which the allowance is admissible and for calculation of the amount of the allowance

**Dearness Allowance during joining time**

(iii) During joining time, as defined in rule 127 of the Rajasthan Service Rules the allowance will be based on the joining time pay admissible under Rule 138 except that in cases falling under clause (b) of Rule 127 the allowance will be drawn at the same rate at which it was drawn before commencement of the joining time

**Dearness Allowance while under suspension**

(iv) Persons under suspension may be allowed to draw dearness allowance at the rate at which they drew it prior to their being placed under suspension, or a portion of it at the diseretion of authority competent to fix the subsistence grant during the period of suspension, provided that the amount of 'dearness allowance' does not exceed the amount admissible as such on the subsistence allowance paid from time to time

**Dearness Allowance during foreign service**

(v) Subject to the sanctioned terms of appointment a Government servant on foreign service may draw the allowance on the basis of his pay in foreign service

**Dearness Allowance to those who are entitled to free boarding and lodging**

* (vA) The Government servants who are entitled to % [free boarding (or messing allowances) and free lodging concessions] as a condition of their appointment, shall be entitled to draw Dearness Allowance at only 50% of the normal rate which would otherwise be admissible to them

**Dearness Allowance on broken periods of a month**

(vi) Since the eligibility for the Dearness Allowance is dependent on pay as defined in sub para (i) above and not on the amount of pay

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* Inserted vide FD-Order No F 1 (25) F 11/53, dated 5-2-1954

% Substituted for (free boarding and lodging concessions) by F D Order No F 11 (25) F. 11/53, dated 20-7-1954

actually drawn during any particular period of a month, the allowance in respect of broken periods of a month, or periods in a month during which different rates of pay are drawn, shall be the amount calculated for the number of days of duty at the different monthly rates of pay allowed during the month

**Dearness Allowance to re employed pensioners**

(vii) Retired Government servants who have been or may be re-employed and who are allowed to draw their pension in addition to pay will be eligible to draw the allowance if their pay plus pension does not exceed the monetary limit prescribed In such cases the allowance will be calculated as follows :—

(a) In the case of officers whose pay plus pension exceeds the sanctioned maximum pay of the post, the allowance will be calculated on that maximum

(b) In other cases the allowance will be calculated on the pay plus pension

(c) In the case of officers on leave the allowance will be calculated on leave salary alone (excluding pension), provided that payment of the Dearness Allowance in cases covered by clauses (a) and (b) above will be restricted to the amount derived after deducting the amount of relief which the Government may have sanctioned to its pensioners from the amount of Dearness Allowance culculated

**Dearness Allowance to those who are in receipt of any emoluments from any other Government in addition pay**

(viii) Government servants in receipt of any emoluments of the nature of pay, leave salary or pension from any other Government in addition to pay from Government will, subject to the total emoluments not exceeding *the limit prescribed for eligibility for Dearness Allowance, draw the allowance* on the basis of their pay from Government

Government have also been pleased to order that any change in the *rate of dearness allowance admissible to a Government servant* necessitated by the issue of this amendment will not apply retrospectively and will have effect only from January 1, 1953

***Government of Rajasthan s Decisions***

**Dearness Allowance to Government Advocates, Public Prosecutors, etc**

[1]1 It seems there is some doubt on the question of Dearness Allowance to Government Advocates, Public Prosecutors, etc The position in this regard is very clear In accordance with note 2 (c) below the orders relating to Dearness Allowance to Government servants applicable from 1-4

1 Inserted by F D No F 7 (1)-R/52 dated 3-3-1952

1 4 1950 (which were in supersession of all previous orders on the subject) Dearness Allowance is not admissible to part time employees As the Government Advocates, Deputy & Assistant Government Advocates, Public Prosecutors, Assistant Public Prosecutors, etc are in the part time employ they are not entitled to Dearness Allowance

**Dearness Allowance to industrial employees of Government Presses —**

12 The unified rates of Dearness Allowance sanctioned for Government servants of Civil Departments are also applicable to whole time industrial employees of Government Presses (other than those paid from contingencies) for whom unified scales of pay have been announced under the Rajasthan Civil Services (Unification af Pay Scales) Rules.

23 It has been brought to the notice of Government that Dearness Allowance at the rates in force prior to 1 4–1950 is still being drawn by some Government servants, wherever these are advantageous to them as compared to the rates admissible under Finance Department Order No 2

This must stop forthwith, and Heads of Departments and Offices should ensure that dearness Allowance otherwise than in accordance with the order dated 11-1-1951 is not drawn by Government servant It should be remembered that Drawing Officers are personally responsible for over drawals of this kind

**Dearness Allowance to work-charged establishment**

34 Government have had under consideration the question regarding Dearness Allowance which should be paid to work-charged establishment in the P W D The matter has been examined and it has been held that in the case of appointments to posts corresponding to posts for which time scale has been prescribed in the Schedule to the Unification of Pay Scales Rules such appointments should be at an appropriate stage in these scales When this is done Dearness Allowance should also be paid in accordance with rates prescribed for corresponding Civil Services under Government Order No 2

Where pay in the case of such appointments is already on a consolidated basis, pay in the scale will be refixed after eliminating the element of Dearness Allowance and allowance will be allotted separately as indicated above.

In the case of other appointments, the pay of the work-charged staff should be fixed on a consolidated basis and no Dearness Allowance would be payable in addition to such consolidated rates

(Appendix—XVI of R S R.—Vol II)

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1 Inserted by F D No F 7 (2) P /52 dated 3-3-1952
2 Inserted by F D Memo No D 25658/F II/53, dated 2-5-1953
3 Inserted by F D Memo No F II (26) F II/53, dated 9-2-1954

## RATES OF DEARNESS ALLOWANCE W.E.F. 1-9-61

| | 1-9-61 | 1-3-64 | 1-8-64 | 1-3-65 | 1-4-66 | 1-10-66 | 1-1-67 | 1-6-67 | 1-11-67 | 1-1-67 | 1-9-68 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1–69 | 10 | 15 | 20 | 25 | 33 | 35 | 47 | 53 | 59 | 65 | 71 |
| 70–109 | 10 | 15 | 20 | 25 | 36 | 41 | 47 | 53 | 59 | 65 | ,71 |
| 110–149 | 10 | 15 | 20 | 25 | 43 | 50 | 70 | 77 | 84 | 91 | 98 |
| 150–209 | 20 | 25 | 30 | 35 | 60 | 69 | 90 | 98 | 106 | 114 | 122 |
| 210–299 | 20 | 25 | 30 | 35 | 65 | 76 | 110 | 119 | 128 | 137 | 146 |
| 300–319 | 320 | 325 | 330 | 35 | 65 | 76 | 110 | 119 | 128 | 137 | 146 |
| 320–325 | — | — | 10 | 35 | 65 | 76 | 110 | 119 | 127 | 137 | 146 |
| 326–380 | — | — | 10 | 35 | 65 | 76 | 110 | 119 | 128 | 137 | 146 |
| 381–389 | — | — | 10 | 35 | 446 | 456 | 110 | 119 | 128 | 137 | 146 |
| 390–399 | — | — | 10 | 35 | 446 | 456 | 110 | 119 | 128 | 137 | 146 |
| 400–449 | — | — | — | 35 | 45 | 56 | 120 | 130 | 140 | 150 | 160 |
| 450–457 | — | — | — | 35 | 45 | 56 | 120 | 579 | 589 | 153 | 164 |
| 458–467 | — | — | — | 35 | 45 | 56 | 120 | 579 | 589 | 153 | 154 |
| 468–499 | — | — | — | 35 | 45 | 56 | 120 | 120 | 120 | 153 | 164 |
| 500–531 | — | — | — | 35 | 45 | 56 | 120 | 120 | 120 | 153 | 164 |
| 532–539 | — | — | — | 35 | 45 | 56 | 120 | 120 | 120 | 652 | 663 |
| 540–542 | — | — | — | 35 | 45 | 56 | 120 | 120 | 120 | 120 | 120 |
| 543–575 | — | — | — | 575 | 45 | 56 | 120 | 120 | 120 | 120 | 120 |
| 576–999 | — | — | — | — | 45 | 56 | 120 | 120 | 120 | 120 | 120 |
| 1000–2194 | — | — | — | — | 45 | 56 | 120 | 120 | 120 | 120 | 120 |
| 2195–2205 | — | — | — | — | 45 | 56 | 100 | 100 | 100 | 100 | 100 |
| 2206–2250 | — | — | — | — | 45 | 2250 | 100 | 100 | 100 | 100 | 100 |
| 2250 से ऊपर | — | — | — | — | 2250 | 2250 | 100 | 100 | 100 | 100 | 100 |
| | | | | | — | — | 2350 | 2350 | 2350 | 2350 | 2350 |

## RATES OF ADDITIONAL DEARNESS ALLOWANCE

| 1 | 1.5.73<br>2 | 1.8.73<br>3 | 1.10.73<br>4 | 1.1 74<br>5 | 1 2 74<br>6 | 1 4.74<br>7 | 1 6.74<br>8 | 1 7 74<br>9 | 1.9.74<br>10 |
|---|---|---|---|---|---|---|---|---|---|
| 187 से नीचे | 4% | 8% | 12% | 16% | 20% | 24% | 28% | 32% | 36% |
| न्यूनतम | 7 | 14 | 21 | 28 | 35 | 42 | 49 | 56 | 63% |
| 187–300 | 4% | 8% | 12% | 10% | 20% | 24% | 28% | 32% | 36% |
| न्यूनतम | 8 | 16 | 24 | 32 | 40 | 48 | 56 | 64 | 72 |
| 301–900 | 3% | 6% | 9% | 12% | 15% | 18% | 21% | 24% | 27% |
| न्यूनतम | 12 | 24 | 36 | 48 | 60 | 72 | 84 | 96 | 108 |
| अधिकतम | 27 | 54 | 81 | 108 | 135 | 162 | 189 | 216 | 243 |
| | X927 | — | — | X1008- | — | — | X–1089 के समायोजक तक | | |
| 901–926 | — | 6% | 9% | — | 15% | 18% | 18% | 24% | 27% |
| न्यूनतम | | 24 | 36 | — | 60 | 72 | 72 | 96 | 108 |
| अधिकतम | | 54 | 81 | — | 135 | 162 | 162 | 216 | 243 |
| 927–1200 | — | 6% | 9% | 81 | 15% | 18% | 18% | 24% | 27% |
| न्यूनतम | | 24 | 36 | — | 60 | 72 | 72 | 96 | 108 |
| अधिकतम | | 54 | 81 | — | 135 | 162 | 162 | 216 | 243 |
| आदेश | | | (18–4–74) | | (29–4–74) | | | | |
| 1201–1600 | — | 54 | 81 | 81 | 135 | 18% | 18% | 24% | 27% |
| न्यूनतम | — | — | — | — | — | 72 | 72 | 96 | 108 |
| अधिकतम | — | 1654 | — | — | X1735 | 162 | 162 | 216 | 243 |
| 1601–2250 | — | — | 81 | 81 | 81 | 18 | 18% | 18% | 27% |

## RATES OF AD HOC RELIEF

| वेतन 1 | 1 1 71 2 | 1 10 71 3 | 1 2 72 4 | 1.8 72 5 | वेतन 1 | 1 1 71 2 | 1 10 71 3 | 1 2.72 4 | 1 8 72 5 |
|---|---|---|---|---|---|---|---|---|---|
| 1– 84 | 10 | 17 | 22 | 29 | 1– 84 | 10 | 17 | 22 | 29 |
| 85– 109 | 10 | 18 | 23 | 31 | 85– 109 | 15 | 23 | 28 | 36 |
| 110– 209 | 15 | 23 | 30 | 38 | 110– 209 | 15 | 23 | 30 | 38 |
| 210– 499 | 15 | 25 | 32 | 42 | 210– 499 | 15 | 25 | 32 | 42 |
| 500– 575 | 15 | 30 | 30 | 40 | 500– 575 | 15 | 30 | 30 | 40 |
| 576– 585 | 15 | 30 | 30 | 30 | 576– 585 | 15 | 30 | 30 | 30 |
| 586–1250 | 15 | 30 | 30 | 30 | 586–1250 | 15 | 30 | 30 | 30 |
| 1250 से ऊपर | 1265 | 1280 | 1230 | 1280 | 1250 से ऊपर | 1265 | 1280 | 1280 | 1280 |
| | के समायोजन तक | | | | | | के समायोजन तक | | |

## RATES OF DEARNESS PAY

| 1 4 58 से | | 1 12 68 से | | 1.12 68 (वेतन शृखला 1961, 1976 एव 1969 पर) | |
|---|---|---|---|---|---|
| वेतन | रुपये | वेतन | रुपये | वेतन | रुपये |
| 1– 39 | 10 00 | 1–180 | 47 | 1–109 | 47 |
| 40– 59 | 12 50 | 181–247 | 70 | 110–149 | 70 |
| 60– 70 | 15 00 | 248–331 | 90 | 150–209 | 90 |

| | |
|---|---|
| 71 | 14.50 |
| 72 | 14.00 |
| 73 | 13-50 |
| 74 | 13 00 |
| 75- 99 | 12.50 |
| 100-199 | 15.00 |
| 200-400 | 17.50 |
| 400 से ऊपर 417.50 तक* | |

| | |
|---|---|
| 332-545 | 110 |
| 546-563 | 120 |
| 663 से ऊपर | 783 तक* |

| | |
|---|---|
| 210-399 | 110 |
| 400-499 | 120 |
| 500 से ऊपर* | 619 तक* |

* इसके आगे अंकित राशि के समायोजन तक

| Rates of Project Allowance (1.3.77) से देय | |
|---|---|
| Up to 900 | 10% |
| 901-1150 | 100 |
| 1151-1850 | 125 |
| 1851-2000 | 150 |

## RATES OF DEARNESS ALLOWANCE EFFECTIVE FROM 1-9-76 to 1-2-1981

| | 1-9-76 | 1-9-77 | 1-1-78 | 1-12-78 | 1-8-79 | 1-11-79 | 1-2-80 | 1-5-80 | 1-7-80 | 1-9-80 | 1-12-80 | 1-2-81 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| Upto 274 | 14 | 21 | 28 | 36.50 | 44.50 | 52.50 | 60.50 | 68.50 | 76.50 | 84.50 | 92.50 | 100.50 |
| 275-350 | 16 | 24 | 32 | 42 | 51 | 60 | 69 | 78 | 87 | 96.00 | 105 00 | 114 00 |
| 351-354 | 20 | 30 | 40 | 42 | 51 | 60 | 69 | 78 | 87 | 96.00 | 105.00 | 114 00 |

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 355–439 | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | 110 00 | 120 00 | 130 00 |
| 440–529 | 20 | 30 | 40 | 55 | 70 | 85 | 110 | 115 | 130 | 145 00 | 160 00 | 175 00 |
| 530–640 | 20 | 30 | 40 | 60 | 80 | 100 | 120 | 140 | 160 | 180 00 | 200 00 | 220 00 |
| 641–649 | 30 | 45 | 60 | 60 | 80 | 100 | 120 | 140 | 160 | 180 00 | 200 00 | 220 00 |
| 650–749 | 30 | 45 | 60 | 75 | 90 | 105 | 120 | 140 | 160 | 180 00 | 200 00 | 220 00 |
| 750–859 | 30 | 45 | 60 | 80 | 100 | 120 | 140 | 160 | 180 | 200 00 | 220 00 | 240 00 |
| 860–950 | 30 | 45 | 60 | 90 | 115 | 140 | 165 | 190 | 215 | 240 00 | 265 00 | 290 00 |
| 951–959 | 40 | 60 | 80 | 90 | 115 | 140 | 165 | 190 | 215 | 240 00 | 265 00 | 290 00 |
| 960–1059 | 40 | 60 | 80 | 100 | 125 | 150 | 175 | 200 | 225 | 250 00 | 275 00 | 300 00 |
| 1060–1299 | 40 | 60 | 80 | 110 | 140 | 170 | 200 | 230 | 260 | 290 00 | 320 00 | 350 00 |
| 1300–1329 | 40 | 60 | 80 | 110 or 1437* | 147 | 170 | 1507* | 237 | 267 | 290 00* | 327 00 | 357 00 |
| 1330–1349 | 40 | 60 | 80 | 110 | 147 | 170 | 1507* | 237 | 267 | 267 00 | 327 00 | 357 00 |
| 1350–1899 | 40 | 60 | 80 | 87 | 147 | 170 | 177 | 237 | 267 | 267 00 | 327 00 | 357 00 |
| 1900–1919 | 60 | 60 | 120 | 127 | 2047* | 217 | 217 | 2137* | 307 | 307 00 | 327 00* | 397 00 |
| 1920–2340 | 60 | 60 | 120 or 2400* | 127 | 127 | 217 | 217 | 217 | 307 | 307 00 | 307 00 | 397 00 |
| 2341–2399 | 2400* | 2400* | 2400* | 127 | 127 | 217 | 217 | 217 | 307 | 307 00 | — | 397 00 |
| 2400 एव ऊपर | → | — | — | 100 | 100 | 150 | 150 | 150 | 200 | 200 00 | 200 00 | 250 00 |

*महगाई भत्ता एव वेतन के योग से अधिक नही

1 The Governor has been pleased to order that the Dearness Allowance at the above rates shall also be admissible to the Government searvants drawing pay in the pay scales, other then Rajasthan Civil Services (Revised New Pay Scales) Rules, 1976 and in their case the term 'pay' shall meen pay as defined in Rule 7 (24) of Rajasthan Service Rules and include Dearness Allowance, Dearness Pay, Adhoc Relief and Additional Dearness Allowance appropriate to pay admissible from time to time at the rates in force prior to 1-9 1976

2 The payment of Dearness Allowance will also be subject to the terms and conditions laid down in the rules for drawal of Dearness Allowance given in Appendix XVI of the Rajasthan Service Rules, Volume II

3 The Dearness Allowance will also be admissible to those Government searvants who were in service on (the Rates indicated in the above chart) but those services were terminated prior to the issue of these orders whether for disciplinary reasons or on account of resignation, retirement, death or discharge on abolition of sanctioned post

**(Such orders are always given whenever D A was increased)**

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# Condition For Admissibility of Halting Allowance

(1) Halting Allowance may not be drawn except during a period of absence from Headquarters on duty

(2) Halting Allowance shall be admissible for each day of stay at a station beyond 8 kms from the duty point at the Headquarters of Government servant provided the stay at that station on a particular day is at least for 8 hours

(3) (a) Halting Allowance shall be admissible upto a period of £ 30 days for continuous halt at a particular station In case the halt is continued beyond a period of £ 30 days sanction of Government in the Administrative Department will be necessary

(b) If a Government servant is allowed or avails of free boarding and lodging during halt at a particular station provided by the Rajasthan Government or the host Government or organisation or body responsible for causing the halt, the rate of halting Allowance shall be 25% of the normal rates prescribed for that station

(4) Halting Allowance may be drawn during a halt or on a holiday other than restricted holiday occurring during a tour for such days as he spends in camp on duty No halting allowance shall be admissible if he leaves camp on private business during holiday (s or takes any kind of leave including casual leave while on tour

@ (5) If a Government servant travels in a car or by other means of conveyance which is not his own or hired shall, irrespective of whether he returns to the headquarters on the same day or not, be entitled to halting allowance as follows —

---

£ Substitute for the figures and words ' 60 days" vide F D Order No F 3 (9)/FD/(Rules /70, dated 28 6-78

@ Substitute for the words "Halting Allowance for one day shall be admissible to a Govt servant who travels in a Government vehicles or Provided with free conveyance and the Journey begins and ends at the Government servants headquarters on the same day, provided that the absence from headquarters is for at least 6 hours " Vide F D Order No F 3 (9) FD/ Rules/70, dated 16 2-1978

| | |
|---|---|
| (i) If the absence from the head quarters is more than eight hours. | One halting allowance |
| (ii If the absence from headquarters is more than four hours but not more than 8 hours | Half halting allowance |
| (iii) If the absence from the headquarters is not more than four hours | No halting allowance |

In such cases, the admissibility of the above halting Allowance will be subject to the condition that not more than one halting allowance for every absence of 24 hours from headquarters shall be admissible

£ Clarification :—The leave reserve staff who is required to under take journey on duty under the orders of the competent authority to take over charge of the post from another Government servant proceeding on leave or otherwise is not entitled to transfer travelling allowance In such cases he is only entitled to mileage allowance (including incidental charges) by rail or road, as the case may be, and that no halting allowance shall be admissible to him

(5) Railway Magistrates, Officers and men of Railway Police Force who undertake journey by rail on train duty shall be entitled to one halting allowance for a single spell of return trip duty, if he spends more than 6 hours in any period of 24 hours irrespective of the hour at which absence from his headquarters begins or ends.

## APPENDIX IV

**Rule 8 (2)**

Rates of Halting Allowance

| Category | For all localities within the State | For all localities outside the State | Split rates for all State Capitals (except Jaipur) and hill stations outside the State | | Split rates for Bombay/Calcutta/Madras/Kanpur | |
|---|---|---|---|---|---|---|
| | | | Hotel accommodation charges | Allowance for meals | Hotel accommodation charges | Allowances for meals |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| A Rs 1500/- p m & above and AIS | 19/- | 28/- | 75/- | 28/- | 150/- | 28/- |

£ Inserted vide F D Order No F 3 (9) FD/Rules/70, dated 13 5 75

| 1 | | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|---|
| | Officers drawing pay of Rs 1000/- p m and above | | | | | | |
| B | Rs 750/- p m & above but less than Rs 1500/ p m & AIS Officers drawing pay below Rs 1000/- p m | 14/- | 20/- | 50/ | 20/- | 100/- | 20/ |
| C | Rs 450/- p m & above but less than Rs 750/- p m | 11/- | 17/- | 25/- | 17/- | 50/- | 17/ |
| D | Below Rs 450/- p m | 7/- | 12/- | 15/ | 12/- | 25/- | 12/ |

Remarks applicable to all categories of Government servants

| 8 |
|---|

Note —1 Admissibility of Halting Allowance is subject to the conditions mentioned in the Schedule appended to this Appendix

2 *Conditions for drawing Halting Allowance at split rates* —

(a) The split rates for hotel accommodation charges shall be admissibe only if an officer stays in a Hotel/Circuit House/ Dak Bungalow or any other institutions like Young Men's Christion Association, Cricket Club of India, Youth Hostels etc which provide for lodging arrangments at Schedule tarrif and produces vouchers/receipts in token of payment made on account of hotel accommodation charges In case the actual charges paid on account of hotel accommodation are less than the ceiling prescribed *in column 4 & 6 of this* Appendix, actual charges paid for hotel accommodation shall only be admissible

(b) No vouchers are to be presented for allowance for meals under column 5 & 7

(c) If the actual hotel charges paid are inclusive of accommodation & meals and are less than the ceiling prescribed under column 4 and 5 or 6 and 7 the actual charges paid shall only be admissible

8

3 In case of stay at New Delhi in Bikaner House, Rajasthan House, Jodhpur House, halting allowance shall be admissible at the rates prescribed for all localities outside the State shown in column 3 of this Appendix In case accommodation is not available in the aforementioned Houses at New Delhi, the halting allowance shall be admissible at split rates prescribed for all State capitals outside the State shown in column 4 of this Appendix subject to the conditions mentioned in Note 2 above The officer claiming the Halting Allowance at split rates for New Delhi shall record a certificate on the T A claim to the effect that he actually stayed in a Hotel due to non-availability of accommodation in any of the aforesaid State Circuit Houses

4 State Government servants posted at stations outside Rajasthan shall, if they are required to undertatke journey on duty to any place in Rajasthan or within the State (other than Rajasthan) in which they are posted, get Halting Allowance at the rates indicated in column 2 of this Appendix, Halting allowance at the rates given in column 3 to 7 shall be admissible only when they travel on duty to places outside the State in which they are posted

5 Actual taxi charges admissible under rule 11 shall be in addition to Halting Allowance at Split Rates

# Recruitment through Employment Exchange

Attention of all Heads of Departments and Appointing Authorities is invited to Circular No F 5 (83) GA/A/51, dated 30-5-51, from the General Administration Department addressed to all Secretaries and Heads of Departments where in it was prescribed that all vacancies (including clerical and Class IV posts) other than those which were to be filled through Rajasthan Public Service Commission were to be notified to the nearest Employment Exchanges It is hereby clarified that these provisions apply to temporary and short term vacancies as well

With a view to enable the Employment Exchanges to submit the most suitable candidates and also to avoid unnecessary delay in the disposal of vacancies, in continuation of the General Administration Department Circular afore mentioned the following procedure is laid down in this connection, for the guidance of appointing authorities —

1 Vacancies should be notified to the nearest Employment Exchange

2 Exchanges should be allowed at least the time of two weeks from the date of receipt of the vacancy for submission of suitable applicants This is necessary because before submitting candidates the Exchanges have to contact the eligible candidates generally by post to ascertain their willingness and suitability for the post in question

3 In case the Exchange, to which the vacancy has been notified, finds that no suitable candidates are avaible on its Live registers, the vacancy will be circulated to other Exchanges, where the required types of applicants are likely to be available When such circulation is proposed to be under taken by the Employment Exchange, the employing departments will be requested and they will allow at least a time of four weeks to the Exchange from the date of 1st receipt of vacancy by the Exchange

4 In case suitable applicants are not available even after circulation, the Employment Exchange will give a 'non availability certificate' to the employing department On receipt of this certificate, the department concerned will be at liberty to make recruitment from the open market However, open market recruitment should be made strictly on the basis of the term and conditions which were notified to the Exchange If any alterations are made in the terms and conditions, the vacancy should be freshly notified to the Exchange

5 If no candidates are sponsored by the Exchange within the above mentioned prescribed time, appointing authorities may proceed with the filling up of vacan ies through other channels

6 In order that the Exchanges are able to identify the most suita ble candidates appointing authorities should give full details about the 'vacancies in the requisition from given Appendix A'

7 It is felt that while filling some of the vacancies, appointing authorities may like to consider applicants from a wider area In such cases, the Employment Exchange to which the vacancy is notified, may be requested to circulate the vacancy to other Employment Exchange also Submissions will be made by all the Exchanges who may have on their registers candi dates satisfying the terms and conditions prescribed by the appointing authorities Normally such action should be confined to vacancies of the higher type carrying a basic salary of Rs 100/- p m or more When Exchanges are required to submit applicants after circulating the vacancy, the time allowed should be not less than four weeks

8 In emergencies, when candidates are required at a short notice, the appointing authorities should specify briefly the reasons for treating the demand as emergent In such cases, Employment Exchanges may be asked to make special efforts to submit candidates within a week

The above instructions should be strictly complied with by all appointing authorities Cases of direct recruitment may be brought to the notice of the Administrative Department for necessary action

(G A D (A) Circular No D 7927/F 5 (98) GA/A/52, dated 4 58)

## APPENDIX 'A'

**Requisition From to be Used When Calling for Applicants From Employment Exchanges for Recruitment to State Government Vacancies**

(Please use a separate from for each type of post)

1 Office/Department and address

2 Name and designation of indenting officer, Telephone No

3 Name and designation of the Officer to whom applicants should report

4 Date time and place of interview

5 (a) Designation of the post (s) to be filled.

(b) Scale of pay

(c) Dearness and other allowances

(d) Place of work

6 Number of posts to be filled and duration of vacancies

| Permanent | Temporary less than 3 months | Temp between 3 months and 1 year | Temp likely to continue beyond 1 year. |
|---|---|---|---|

(i) Reserved for Scheduled Castes/Tribes

(ii) Unreserved

7 Qualifications and Experience, required

*(i) Essential*

(ii) Desirable

8 Age Limits, if any

9 Whether willing to wait and consider applicants from other Exchanges areas in case local applicants not available

10 Any other information considered relevant

Note —Certified that while placing this demand standing instructions of the Government regarding reservation of posts for the persons belonging *to Scheduled Castes Scheduled Tribes have been strictly followed*

Dated — Signature of the Head of Office/Deptt

*To*

The Employment Officer Employment Exchange

Copy of Circular No F4 [9] Lab/56 dated 26/29-8-1967 from Labour & Employment Department

It has been observed that instructions issued by the Government vide order of even number dated the 29th September, 1958 and No F 2[?] [3]/59 and F I [2] [14] L & E/64 dated the 15th October *1962* and *29th October, 1965* respectively [copies enclosed] are not being acted upon properly by various appointing authorities in Government offices in the State This has made it necessary for the Government to issue *the following instructions afresh* and it is enjoined upon all appointing authorities in the State to ensure that these instructions are complied with strictly in future It may further be made clear to all *offices* that instances of non compliance of these instructions in future, if any, will be viewed *seriously* by the Government

## INSTRUCTIONS

In cases where posts are outside the purview of the Rajasthan Public Service Commission, and which are not filled up by promotion or through competitive examinations, vacancies should be filled up from the panel of posts supplied by the Employment Exchanges, after the posts have been notified to them No appointment should be made by any other method unless the employment Exchange certifies that they have no candidates of the required qualifications or the candidates suggested by them are found altogether unsuitable

2 It is only in emergent cases and in cases where the vacancy is to last for a very brief period (not exceeding one month) that appointments should be made by Heads of Department independently and without reference to the Employment Exchanges Emergent cases would be those which are certified as such by the Administrative Department

3 In all other cases, vacancies must be notified to the employment Exchange and a panel names of suitable candidates invited by them

4 Posts in the Secretariat and in key offices, like the High Court, Public Service Commission, Legislative Assembly or any other office of similar nature may, in the interest of efficiency, be filled up by holding competitive examinations At such examinations all candidates including those registered as the Employment Exchanges, should be made eligible to contest.

5 It has been observed that pending selection by the Rajasthan Public Service Commission, appointing authority sometime make provisions or recruitment, to fill up posts for a period of six months on the grounds of mergency, by issuing short term advertisement It often happens that the appointing authorities do not notify such vacancies to the Employment Exchanges This goes against the instructions issued by the Government In such cases where the posts coming under the purview of the Rajasthan Public Service Commission are to be filled up provisionally by the appointing authorities, till such time as candidates recommended by the Public Service Commission are available or by means of short term advertisements, such vacancies should also be notified to the Employment Exchanges

6 The Treasury Officers are instructed not to pass the salary bills of new employees unless their recruitment has been made in the manner specified above

7. The above instructions shall also be followed by all Public ector, Under takings and Local Bodies in the State

8 The above instruction however, shall not apply, so far as the recruitment of Police Constables is concerned to the extent indicated in Government order No F 5 (98) GA/A/52, dated 9-9-59 It will not be necessary for the applications belonging to Scheduled Castes/Scheduled Tribes

to register themselves at Employment Exchanges against the vacancies reserved for such communities in accordance with this Department No D 5222/F 4 (9) Lab/65, dated 25-7-1966

(F 4 (9) Lab/50 dated 26/29-8-1967)

[श्रमिक तथा वर्कचार्ज स्टाफ की नियुक्ति भी नियोजन कार्यालय के माध्यम से हो ।]

Subject —Recruitment of Casual Labour work charged staff through Employment Exchanges

It was laid down in this Department Circular No F 4 (9) Lab/56 dated 26/29th August, 1967 that in cases where posts are outside the purview of the Rajasthan Public Service Commission and which are not filled up by promotion or through competitive examination, vacancies should be filled up from the penal supplied by the Employment Exchanges after the posts have been notifred to them It has been brought to the notice of this Department that certain departments are resorting to direct recruitment of casual labour, work charged staff and other such posts under the impression that these posts are not covered by the above circular It is hereby clarified that this circular does not make any distinction between casual labour, work charged staff and other such staff All vacancies arising under Government Department/ Establishments irrespective of the nature and duration are not only to be notified but have also to be filled up through the Employment Exchanges It is accordingly requested that the instructions laid down in the circular mentioned above (copy enclosed) may be followed strictly in respect of all the vacancies as clarified above

(Circular No F 1 (29) LE/71 dated 18-5-72)

[चार सप्ताह से कम आवश्यकता के लिए श्रमिक बिना नियोजन कार्यालय के नियुक्त किया जा सकेगा ।]

A reference is invited to this department Circular No F1 (29)L&E/71, dated 18 5 72 under which it was desired that vacancy of Casual Labour or Work charged employees should also be filled through the Employment Exchanges It has been brought to the notice of the Government that in some of the departments vacancies often occur which cannot be anticipated in advance and labour has to be engaged urgently on spot for short duration To meet such emergencies, it has been decided that in such emergent case casual labour required for periods of less than 4 weeks duration can be engaged without reference to the Employment Exchanges However if such vacancies are likely to last for more than 4 weeks these should necessarily be notified to the Employment Exchange in due course and recruitment should be made from amongst those sponsored by the Employment Exchanges

(Labour and Employment Department Circular No 1(20) L & E/71, *Dated 4 8-1972*)

[छटनी किये गये कर्मचारियों की पुन नियुक्ति के लिए नियोजन कार्यालय से नाम आने की आवश्यकता नहीं ।]

ऐसे छटनी किये गये राजकीय कर्मचारियों को जिनकी प्रथम नियुक्ति नियोजन

कार्यालय के माध्यम से की गई हो, पुन नियुक्ति हेतु राज्य सरकार के आदेश सख्या एफ 4 (9) श्रनि/56 दिनाक 23/30-9-58 के प्रतिबन्ध से मुक्त किया जाता है।

रोजगार कार्यालय (रिक्त स्थानो की अनिवार्य सूचना) अधिनियम, 1959 के अनुसार सम्बन्धित नियोजन कार्यालयो की नियोजक रिक्त स्थानो की सूचना निर्धारित प्रपत्र म अनिवार्य रूप स देत रहगे।

[श्रम तथा नियोजन विभाग आज्ञा सख्या प 6 (1) नियोजन श्र नियम 1969, दिनाक 31 5.1969)

विषय —औद्योगिक प्रशिक्षण सस्थान से पास किये हुए प्रशिक्षणार्थियो को नियोजन मे प्राथमिकता।

राजस्थान राज्य द्वारा पन्द्रह प्रशिक्षण सस्थान विभिन्न व्यवसायो म चलाये जा रहे हैं। इन सस्थानो से पास किये हुए प्रशिक्षणार्थियो को उचित रोजगार नही मिल पाता है। इनके तकनीकी ज्ञान का पूरा लाभ उठाने हेतु तथा इनको उचित रोजगार मिलने हेतु आपसे निवेदन है कि आप अपन सस्थान म औद्योगिक प्रशिक्षण सस्थान के प्रमाण पत्र रखने वालो को रोजगार म प्राथमिकता दें।

आशा है कि आप इस कार्य म पूर्ण सहयोग देंगे।

[श्रम तथा नियोजन विभाग स प 6 (6) प्र/68 (श्रनि ) दि 28 11 69]

[भूतपूर्व सैनिको के नाम नियोजन कार्यालय से मगाना आवश्यक नही।]

सेवा निवृत्त सैनिको को राजकीय विभागो म रोजगार उपलब्ध कराने के लिये सुविधा देने हेतु राज्य सरकार द्वारा यह निर्णय लिया गया है कि Raj Civil Service (Absorption of Ex Service Personnel)Rules, 59 के अधीन सेवा निवृत्त सैनिको को विभागो म नियुक्तियां करने के लिए नियोजन कार्यालयो से नाम मगाने की भविष्य म आवश्यकता नहीं होगी।

परिपत्र क्रमाक प 7 (54) श्रनि/78 दिनाक 23 अप्रेल, 1979।

[अशकालीन कर्मचारियो की नियमित नियुक्ति क लिय नाम नियोजन कार्यालय स मगाना आवश्यक नहीं।]

अराजपत्रित कर्मचारियो के लिये सयुक्त परामर्शदात्री व्यवस्था के अतगत राज्य स्तर पर गठित सयुक्त परामर्शदात्री परिषद की दिनाक 16 6.78 को हुई बैठक मे लिये गये निर्णय के अनुसरण म यह आदेश दिया जाता है कि ऐसे अशकालीन चतुर्थ-श्रेणी कर्मचारी जो विभिन्न सरकारी विभागो मे दिनांक 1 4 76 से पूर्व मे ही सवारत हैं उन्ह सम्बन्धित विभागाध्यक्ष बिना नियोजन विभाग के माध्यम से नाम मगाये चतुर्थ श्रेणी कर्मचारी क रिक्त पदो पर नियमित रूप से नियुक्त कर सकते हैं, बशर्ते कि वे लोग अन्यथा नियमानुसार चतुर्थ श्रेणी कर्मचारी के पद पर नियुक्ति हेतु निर्धारित योग्यतायें रखते हैं।

(आदेश क्रमांक प 7(1) प्रति 79, दिनाक 30 मार्च, 1979)

श्रम विभाग–विधवा अभ्यार्थियो को राज्य सवा म नियुक्ति हेतु स्थायी व्यवस्था।

विधवा अभ्यर्थियो को राज्य सेवा मे नियुक्ति हेतु रोजगार कार्यालय से नाम प्राथमिकता के आधार पर सम्प्रेषण करने की प्रक्रिया मे सुविधा इस विभाग के सम सख्यक परिपत्र दिनाक 3 1-76 के द्वारा एक वर्ष के लिए दी गई थी जिसे समय-समय पर बढाया जाता रहा तथा इस सुविधा की अवधि दिनाक 3 1-79 को समाप्त हो गई है। राज्य सरकार ने इस मामले मे पुन विचार कर यह निर्णय लिया है कि यह सुविधा विधवाओ के मामले म स्थायी रूप से लागू कर दी जाय।

(परिपत्र क्रमाक —प 11(12) श्रनि/75 दिनाक 9 7 79)

[विधवा अभ्यर्थी नियोजन म राहत ]

Reference is invited to this department order of even number dated 3-1-1976 under which relief was provided to the widow candidates for their employment for one year only, the term of which stands expired The Government after sympathetic consideration of the issue have further been pleased to extend the terms of the said circular order for a further period of one year according to which the widow candidates will continue to receive the same facilities/privileges as here-to-for their employments as stated in the aforesaid order

**Government of Rajasthan, Labour and Employment Department, No F 11 (12) L & E/75 Jaipur, dated 29th Oct , 1977, CIRCULAR**

अन्त्योदय योजना योजना के अधीन आने वाले व्यक्तियो को राज्य सेवा के लिए नियोजन कार्यालय से मुक्ति।

अन्त्योदय योजना के अन्तगत राज्य सरकार द्वारा यह निणय लिया गया है कि अन्त्योदय योजना मे आने वाले परिवार के वयस्क मुखिया के नाम से एक परिचय पत्र मे जिसमे परिवार के समस्त सदस्यो का विवरण होगा, सम्बन्धित विकास अधिकारी के स्तर पर प्रमाणित कर जारी किया जावेगा। इस प्रकार के परिचय पत्र के प्रस्तुत करने पर परिवार के किसी भी व्यक्ति को जो सेवा योग्य होगा राजकीय विभाग/राजकीय उपक्रम अथवा विधायी सगठन मे जहा भी उसके योग्य स्थान होगा नियोजन सेवा कार्यालय से बिना नाम मगाये सीधे ही नियुक्ति दी जा सकेगी। इस सम्ब ध मे आयु सम्बन्धी छूट के निर्देश कार्मिक विभाग से पृथक से प्रसारित किये जा रहे हैं। अत एतदद्वारा प्रत्येक नियोजन सेवा कार्यालय को भी आदेश दिये जाते हैं कि वे ऐसे परिवारा की सूची वर्तमान वर्ष की तथा भविष्य में भी जब जब भी उपलब्ध हो सम्बन्धित विकास अधिकारी से परिचयित कराकर मगवालें तथा ऐसे सम्पूर्ण व्यक्तियो के नाम की जो सेवा योग्य हैं, नियोजन सेवा के रजिस्टरो में पजीयक की कायवाही कर ले तथा जहा जहा भी रिक्तिया उपलब्ध हो वे ऐसे व्यक्तियो के नाम सामान्य नियमो से वरिष्ठता मे छूट देते हुए पूर्ण प्राथमिकता के आधार पर भेज दें।

कृपया इस परिपत्र की प्राप्ति की सूचना विभाग को भेजें।

क्रमांक प 8 (109) श्रनि/77 दिनाक 6 फरवरी, 1978

[समाचार पत्रों में विज्ञापन द्वारा भरी जाने वाली रिक्तियों की समस्त सूचना नियोजन कार्यालय को दी जावे ।]

**Sub :—Filling up of vacancies in various posts and services which are filled in by direct recruitment otherwise than through Competitive Examination or the Rajasthon Public Service Commission procedure regarding.**

Attention is invited to this department circular of even number dated the 31st May, 1977, wherein instructions were issued with regard to the filling of posts in scale No. 9 and higher ones which are not filled in through the Rajasthan Public Service Commission or through a Competitive Examination. In Partial modification of the circular noted above it was mentioned in this department circular of even number dated the 13th February, 1978 that such vacancies may be notified to the Director of Employment, Rajasthan Jaipur.

The Director of Employment Rajasthan, Jaipur has brought to the notice of this department that it may not be possible for the Director to do so as no such register is maintained in the Directorate.

In partial modification of the above, it has now been decided in consultation with the Labour & Employment Department that such vacancies may henceforth be notified to all the Employment Exchanges in Rajasthan.

**Circular No. F. 15 (3) DOP/A-II/74, Dated 8th February, 1979**

[अन्त्योदय परिवारो के सदस्यों के उपलब्ध न होने पर ही अन्य को नौकर किया जा सकेगा।]

In order to provide employment to Members of the families identified under the Antyodaya Programme the following procedure is hereby laid down :—

1. All vacancies of Class IV, vacancies of Lower Division Clerks and posts like that of fitter, pumy operator etc. in the Subordinate Services and Workcharge employees in all Departments should compulsorily be intimatfed to the Collectors of the District along with a request that the names of the Antyodaya candidates be sent to the Apppinting Authority within one week.

2. All Appointing Authorities will invariably invite the Members of the Antyodaya families whoes names have been intimated to them by the Collector for filling up posts of Class IV and similar posts in Subordinate Services and Workcharge Employees.

3. The Appointment Authorities shall call these Antyodaya candidates for interview where necessary and will consider them on most. In case the Antyodaya candidate is not found suitable for the job, reasons for his redection should be noted in the proceedings of the selection.

उपरोक्त निर्देश की भविष्य में पालना हेतु अपने अधीनस्थ अधिकारियों को आवश्यक निर्देश देने की कृपा करें।

अनुसूचित जाति तथा जनजातियों के लिए तदर्थ पदोन्नति में सुरक्षित स्थान रखे जावेंगे।

स प (70) कार्मिक/क–5/78 दिनांक 15 अक्टूबर, 1979

[अनुसूचित जाति तथा अनुसूचित जनजातियों के लिए तदर्थ पदोन्नतियों में सुरक्षित स्थान रखे जावेंगे।]

S O 113 —For the existing para (3) of the Department of personnel (A–V) Order No F 9 (19) Karmik (Ka–V)/74 dated the **10th February, 1975** regarding the procedure for reservation of vacancies for the promotion of the Scheduled Castes and the Scheduled Tribes employees to each class/category/group of junior as well as senior posts under the State Subordinate/Ministerial and class IV Services in the State, the following shall be substituted namely —

'This reservation shall also apply to appointments made on ad hoc or urgent temporary basis, pending the holding of Departmental Promotion Committee Meeting or Direct Recruitment, but such promotions shall be treated as ad–hoc '

No F 15 (24)/Karmik (Ka-I) 75 dt 3 9 75

योग्य उम्मीदवार नहीं मिलने पर अनुसूचित जाति, जन जाति के लिए आरक्षित स्थान अन्य उम्मीदवारों से भरे जा सकेंगे।

G S R 103 —For the existing sub para (vi) of para (2) of the Department of Personnel (A–V) Order No F 9(19) Karmik (Ka V)/74 dated **the 10th February, 1975** regarding the procedure for reservation of vacancies for the promotion of the Scheduled Castes and the Scheduled Tribes employees to each class/category group of junior as well as senior posts under the State/Subordinate/Ministerial and class IV Services in the State, the following shall be substituted namely —

"If the number of eligible candidates belonging to Scheduled Castes and Scheduled Tribes found fit for promotion falls short of the number of vacancies reserved for them during the year the Appointing Authority may fill up such posts by another candidate included in the combined list of selected persons But this should be done only after obtaining the approval of the concerned Administrative Department for de reservation of such vacancies in respect of various Services But before agreeing to the proposals of de-reservation of vacancies *in respect of the State Services* the concerned Administrative Department should also obtain the prior approval of the Minister in charge and the State *Minister (Personnel)* through the Department of Personnel (A II)

[No F. 15 24) Karmik (Ka II) 75, Dated 3–12–75]

Subject :—Reservation Scheduled Castes/Tribes indirect recruitment Change in percentage.

Government have revised the percentage of reservation for Scheduled Castes and Scheduled Tribes for appointments to posts in Government Departments filled by direct recruitment to 16% for Scheduled Castes and 12% for Scheduled Tribes. Accordingly, the figures 17% and 11% [illegible] V. Department Order No. F 7 (11) [illegible] 971, shall be substituted by the figu- [illegible] figures 14% and 9% shown against item No. I against Rajasthan Police Service shall also be substituted by the figures 16% and 12% respectively. Instead of a 100 point rosters 4 point resters shall now be maintained for all services in which points 1, 7, 14, 21, 28 & 35 and points 4, 12, 22, 40 & 39, shall be reserved for Scheduled castes and Scheduled Tribes, respectively.

No. F. 9 (19) DOP/(A-V)/74 dated 10-2-75

[अनुसूचित जाति/जन जाति के उम्मीदवार के लिए समाज कल्याण तथा नियोजन कार्यालय से नाम आना आवश्यक नही है।]

उपरोक्त विषय मे इस विभाग के सम सख्यक परिपत्र दिनाक 25-7-78 के अनुच्छेद 3 मे यह उल्लेख है कि अनुसूचित जाति/जन जाति के प्रत्याशियों की नियुक्ति, नियोजन अधिकारी द्वारा सीधी ही की जा सकती है परन्तु ऐसी नियुक्तिया समाज कल्याण विभाग से अनुपलब्धता प्रमाण पत्र प्राप्त करने के उपरान्त ही की जावे। इस सम्बन्ध मे राज्य सरकार के यह ध्यान मे आया है कि नियोजन अधिकारी, नियोजन कार्यालय एव समाज कल्याण विभाग से प्रत्याशियो की सूची तो प्राप्त कर लेते हैं परन्तु अनुसूचित जाति/जन जाति के व्यक्तियो से प्राप्त सीधे प्रार्थना पत्रों पर विचार नही करते फलस्वरूप अनुसूचित जाति/जन जाति के व्यक्ति सीधी भर्ती की सुविधा से वचित रह जाते हैं।

अत इस सम्बन्ध मे अनुपलब्धता प्रमाण पत्र प्राप्त करने की शर्त हटाई जाकर, यह स्पष्टीकरण किया जाता है कि अनुसूचित जाति/जन जाति के व्यक्तियो की सीधी भर्ती द्वारा नियुक्ति किये जाने के लिए समाज कल्याण विभाग से अनुपलब्धता प्रमाण पत्र प्राप्त करना आवश्यक नही है। आरक्षित पदों पर भर्ती किये जाते समय नियोजन कार्यालय एव समाज कल्याण विभाग से प्राप्त सूची के प्रत्याशियो के अतिरिक्त उन अनुसूचित जाति/जन जाति के व्यक्तियो को भी साक्षात्कार के लिए बुलाया जावे जिन्होने कि अपने प्रार्थना पत्र (उक्त जाति का होने का प्रमाण पत्र सहित) सीधे नियोजन अधिकारियो को प्रस्तुत किये हो तथा चयन तीनो सूचियों के प्रत्याशियो मे से योग्यता के आधार पर किया जावे।

आप अपने अधीनस्थ समस्त नियोजन अधिकारियो को भी उपरोक्त स्पष्टीकरण के अनुसार कार्यवाही करने हेतु निर्देशित कर देवें।

प. प 15 (70) कार्मिक/क-5/78 दिनाक 2 जून, 1979

श्रम विभाग नियोजन कार्यालयो द्वारा संप्रेषित आशार्थियो की सूची मे से ही नियुक्ति की अनिवार्यता की समाप्ति का आदेश रद्द।

इस विभाग के उपरोक्त विषयक सम सख्यक आदेश दिनाक 10–12–79 के अन्तर्गत ये आदेश जारी किये गये थे कि राजकीय कार्यालयों, राजकीय सार्वजनिक क्षेत्र व अर्द्ध शासकीय सस्थाओं में नियुक्ति करने हेतु नियोजन कार्यालयों द्वारा सम्प्रेषित आशार्थियो की सूची मे से ही नियुक्ति करना अनिवार्य नही होगा। दिनांक 10-12-79 के उक्त आदेश को तुरन्त प्रभाव से निरस्त किया जाता है और 10-12-79 के आदेश जारी होने से पूर्व की स्थिति को यथावत कायम रखा जाता है।

कुछ विभागो मे नियमित भर्ती करने सम्बन्धी तथा अल्पावधि या तदर्थ नियुक्तियों के सम्बन्ध मे प्रक्रिया नियत है। ऐसे विभागो म दिनाक 10 12-79 स पूर्व प्रक्रिया के अनुसार ही कार्यवाही की जानी चाहिए। ऐस विभागो मे जो नियुक्तिया दिनाक 10-12-79 के पश्चात् तदर्थ रूप से एव नियमो क विरुद्ध की गई उन्ह निरस्त कर दिनाक 10-12-79 से पूर्व प्रचलित प्रक्रिया एव नियमो के अनुसार नियमित किया जावे।

आदेश क्रमाक प 7 (51) श्रनि/79 दिनाक 13 मई, 1980

## अन्त्योदय परिवार : सीधी भर्ती में छूट

राजस्थान सरकार, सामान्य प्रशासन "ग्रुप 3"/विभाग, क्रमाक प. 1 "13" सा प्र /3/78 जयपुर, दिनाक 11-9-78/परिपत्र/विषय अन्त्योदय योजना में आने वाले परिवार के सदस्यो के लिए सीधी भर्ती द्वारा रिक्त पद भरे जाने से पूर्व अनुपलब्धता प्रमाण पत्र प्राप्त करने से छूट के सम्बन्ध मे।

इस विभाग के परिपत्र सख्या एफ-1 "38" सा प्र/3/74 दिनाक 10-5-77 एव 29-8-78 के क्रम मे लेख है कि राज्य सरकार ने निर्णय लिया है कि जो अन्त्योदय योजना क्षेत्र मे आने वाले परिवार के सदस्यो को रिक्त स्थानो पर नियुक्ति दिये जाने मे अनुपलब्धता प्रमाण-पत्र प्राप्त करने से छूट दी जानी है लेकिन ऐसी नियुक्ति के आदेश की एक प्रति सम्बन्धित जिलाधीश/सामान्य प्रशासन ग्रुप-3" विभाग को भेजी जानी आवश्यक है।

इस सम्बन्ध म आगे यह लेख है कि नियुक्ति अधिकारी को यह देखना होगा कि अमुक व्यक्ति अन्त्योदय योजना मे परिवार का सदस्य है एव उसका नाम, परिचय पत्र, जो सम्बन्धित विकास अधिकारी द्वारा जारी किया हुआ है, मे सम्मिलित है। ( ) उप शासन सचिव एव सदस्य सचिव अन्तर्लयन समिति।

[श्रम विभाग–नियोजकों द्वारा आशार्थी के चयन की सूचना नियोजन कार्यालय को 7 दिनों में देनी होगी।]

आदेश क्रमाक प 7 (15) श्रनि/80 दिनाक 9-10-80

प्राय ऐसा देखने मे आया है कि अनेक नियोजक अपने अधीनस्थ कर्मचारियो की नियुक्ति करने के पश्चात् सम्बन्धित नियोजन कार्यालयो को या तो सूचित ही नही करते हैं अथवा काफी समय पश्चात् चयन परिणाम या नियुक्ति की सूचना भिजवाते हैं। इस परिहार्य विलम्ब के कारण आशार्थियो के नियोजित होने सम्बन्धी आकडो एव अभिलेखो को सम्पूर्ण करने मे नियोजन कार्यालय को अत्यन्त कठिनाई होती है।

अत निर्देश किये जाते हैं कि चयन व नियुक्ति परिणामो की सूचना प्रत्येक नियुक्त आशार्थी का पजीयन क्रमाक व जिस नियोजन कार्यालय में आशार्थी पजीकृत है उसका नाम देते हुये प्रत्येक नियोजक (सरकारी/अद्ध सरकारी/निगम/स्वायत्त सस्थाओ/निजी क्षेत्र आदि) द्वारा सम्बधित नियोजन कार्यालय को चयन/नियुक्ति के सात दिन की अवधि के अन्दर अन्दर आवश्यक रूप से प्रेषित कर दी जाव।

(आदेश क्रमाक प 7 (15) श्रनि/80 दिनाक 9 10 80)

Government of Rajasthan

Department of Personnel and Administrative Reforms

(A Gr II)

## NOTIFICATION

Whereas under most of the service rules regulating recruitment and conditions of service made by the Governor under proviso to Article 309 of the Constitution of India the method of recruitment is provided for by quota rule of direct recruitment and promotion and number of vacancies in the service anticipated during a particular period of recruitment and also the number of persons likely to be recruitment by each of such method are to be determined from time to tim , but due to various administrative reasons, vacancies to be filled by promotion could not be determined regularly by the competent authority or if they were determined they could not be filled up by promotion by convening the meeting of the Departmental Promotion Committee while the vacancies against direct quota were filled up in a regular manner, which resulted in hardship to persons who were eligible for being considered against the vacancies of the promotion quota of earlier years and deprivation of appointment by promotion and of appropriate seniority from the day or year the vacancies of their quota became available

And whereas vacancies against the promotion quota occurred in earlier years and eligible persons were also appointed on ad hoc or officiating basis, but as the Departmental promotion Committee could not meet due to various administrative reasons in time all it met only in later years as a result whereof it select such persons against the promotion quota vacancies only from a later date which resulted in hardship to persons who were eligible for substantive appointment against promotion quota vacancies of earlier years and who if appointed against their appropriate vacancies, could have claimed seniority over the direct recruits of those years

And whereas, the State government with a view to strictly follow the quota rule and to increase efficiency in the public administration and for subserving the common good have decided that the Departmental Promotion Committee should meet and make recommendations for selection against such vacancies so that the Government may make their appointment against such vacancies with reference to appropriate year

Now, therefore, in exercise of the powers conferred on him under th proviso to Article 309 of the Constitution of India, the Governor of Rajasthan is please to make the following rules namely —

(1) Short title and commencement —(1) These rules may be call the Rajasthan Services (Recruitment by Promotion against vacancies of earlier years) Rules, 1972

(2) They shall come into force at once

(2) Where a service rule, regulating recruitment and condition of service made under the proviso to Article 309 of the Constitution of India, provides for recruitment by both direct recruitment and promotion and where promotion quota of any earlier year could not be filled up in the absence of *recommendations of the Departmental Promotion Committee* constituted under the rule pertaining to that Service but vacancies against direct recruitment quota were filled the appointing authority shall determine the number of vacancies which were required to be filled up by promotion of vacancies which were required to be filled up by promotion specifying the year corresponding *to the year in which vacancies against direct recruitment to the year in which* vacancies against direct recruitment quota were filled

Note —The term 'promotion" in case of Rajasthan Administrative Service shall include recruitment to the service by 'Selection and by ' Special Selection" also

(3) The Departmental Promotion Committee constituted under the Service Rules referred to in rule 2 shall consider the cases of all persons eligible for promotion under relevant Service Rules in the year with reference to which the vacancies are to be filled up and make their recommendation *within a period* of three months from the date the competent authority makes the determination of the number of vacancies and specifies the year of vacancies of earlier years under the said rule whereupon the appointing authority shall giving due regard to the recommendations of the Departmental Promotion Committee, make the appointments by promotion in the promotion quota vacancies relevant to the year specified under rule 2

(4) When the appointing authority make appointments by promotion under rule 3 it shall specify the year in which such promotion shall be deemed to have been made

(5) Where any vacancy existed in the *promotion* quota in a year earlier than that in which an appointment by promotion was made on the recommendation of the Departmental Promotion Committee, the appointing authorities in respect of such persons who were eligible for promotion under the relevant service rules in the year with reference to which the vacancies are to be filled up shall modify the appointment order by *specifying the* year in which such promotion shall be deemed to have been made which shall correspond to the year in which vacancies against direct recruitment quota of the relevant year were filled

(6) Where any appointment by promotion has been made under rule 3 or where the appointing authority has specified the year of promotion under rule 5, the person who has been so promoted shall not be entitled to claim any arrears of pay for any period during which he has not actually performed the duties of the postto which he has been promoted.

(A) Notwithstanding anything contained in the relevant Service Rules persons who have been appointed to the relevant Service in accordance with the provisions of these rules shall be deemed to have been appointed to the relevant Service in the same year to which the quota relates to the purpose of counting their experience in the Service.

(7) **Power to relax rules** :—In exceptional cases where the Administrative Department of the Government is satisfied that operation of the rules relating to age or regarding requirement of experience for rectt. cause undue hardship in any particular case or where the Government is of the opinion that it is necessary or expedient to relax any of the provisions of these rules with respect to age or experience of any persons, it may with the concurrence of the Deptt. of Personnel and Administrative Reforms and in consultation with the Commission by orders dispense with or relax the relevant provisions of these rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner, provided that such relaxation shall not be less favourable than the provisions already contained in these rules. Such cases of relaxation be referred to R P.S.C. by the Deptt of Personnel & Admn. Reforms, DOP A. Gr II.

(8) **Removal of Doubts** :—If any doubt arises relating to the application and scope of these rules, it shall be referred to the Government in the Department of Personnel whose decision thereon shall be final.

No. F. 1 (7) Apptts, (A.II)/71 Dated the 7th January, 1972.

**By Order and in the name of the Governor,**

**Sd/- D Goswami**

**Deputy Secretary to the Government.**

## DETERMINATION OF VACANCIES

For regulating recruitment to various posts included in the relevant Service Rules issued by the Government of Rajasthan under proviso to Article 309 of the Constitution of India, among various conditions of Service the condition of determination of vacancies is an important one by which the vacant posts/categories of posts are to be filled in either by direct recruitment or by promotion by the Appointing Authority.

Under the rule relating to determination of vacancies of the relevant Service Rules it has been provided that the Appointing Authority shall determine each year the number of vacancies anticipate during the following twelve months and the number of persons likely to be recruited by each method

For determining the vacancy each year by the Appointing Authority the following points are to be considered —

(i) The total sanctioned strength of posts substantive and temporarily

(ii) The total number of officials who have been regularly recruited to the posts either by promotion or by direct recruitment or by both the methods as the case may be

(iii) the number of officials who are holding higher posts in the cadre

(iv) the number of official who are on deputation/training/leave reserve for more than a year

(v) the number of official in difference categories of higher posts also are due for retirement during the next twelve months

(vi) the number of posts which are anticipated to occur definitely.

(vii) the number of posts in each category decided to be retrenched or to be added during the next 12 months

(viii) the number of posts in each category to be held in abeyance or not to be filled in

(ix) *the number of posts which will be remain vacant due to regular* holder of posts having gone out deputation training/long leave suspension

(x) the number of posts to be kept reserved for the candidates belong to SC/ST or other categories for which vacancies are to be kept reserved

(xi) for calculating the actual number to be filled by each method on the basis of the percentage *prescribed the appointing authority* shall adopt an appropriate cyclic order to correspond with the proportion by giving precedence to promotion quota over direct recruitment quota

After considering the points indicated above, the number of posts which are to be filled in a year, are to be determined by the Appointing Authority and according the proportion included in the Rules the vacant posts are to be determined to be filled against the direct *recruitment of promotion* quota

After determining the quota wise vacancies the Appointing Authority will take action to fill them in accordance with the provision prescribed in the relevant rules

## PROCEDURE FOR PROMOTION AGAINST VACANCIES OF EARLIER YEARS UNDER RAJASTHAN CIVIL SERVICES (RFCRUITMENT BY PROMOTION AGAINST VACANCIES OF EARLIER YEARS) RULES, 1972

The Governor of Rajasthan under proviso to Article 3C9 of the Consitution of India promulgated various Service Rules wherein recruitment to various posts have been provided by quota rule of direct recruitment and promotion and the number of vacancies in the Service anticipated during a particular period of recruitment and also the number of persons likely to be recruited by each such method are to be determined from time to time, but due to various administrative reasons, vacancies to be filled in by promotion could not be determined regularly by the comp tant authority or if they were determined, could not be filled up by promotion by convening the meeting of D P C while the vacancies against the direct recruitment were filled up in a regular manner, which resulted in hardship to persons who were eligible for being considered against the vacancies of the promotion quota of earlier years and deprivation of appointment by promotion and of ppropriate seniority from the day or year the vacancies of their quota ecome available

With a view to strictly follow the quota rule and to increase effici ncy in the public administration and for sub serving the common good, the Rajasthan Civil Services (Recruitment by promotion against vacancies of earlier years) Rules, 1971 have been promulgated by the Governor of Rajasthan under proviso to Article 309 of the Constituion of India, hereinafter referred to as the 1972 Rules, providing that the D P C should meet and make recommendations for selection against such vacancies of promotion quota so that the Government may make their appointment against such vacancies with reference to appropriate year

The 1972 Rules authorises that where a Service Rules, provides recruitment by both the methods of recruitment i e by Direct Recruitment and by promotion and where promotion quota of any earlier year would not be filled up in the absence of the recommendations of the DPC but vacancies against Direct Recruitment quota are filled under the rule pertaining to that Service, the Direct Recruitment shall determine the number of vacancies what were required to be filled up by promotion specifying the year with reference to which the vacancies are to be filled up

As soon as the vacancies of the earlier years against promotion quota which were not filled-up, are determined the person eligible for promotion in the year with reference to which the vacancies are to be filled shall be considered by the D P C and the D P C shall make recommendations within

a period of three months from the date the competent authority makes the determination of the number of vacancies and specifies the year of vacancies of certain years where upon the Appointing Authority shall give due regard to the recommendation of the D P C and make the appointments by promotion against the vacancies of the year of which the promotion quota relates

The persons so promoted shall not be entitled to claim any arrears of pay for any period during which they have not actually performed the duties of the post to which they have been promoted but such persons shall be entitled to count their experience from the year against which they promoted

Procedure Regarding holding of the meeting of the Departmental Promotion Committees under various service/Recruitment Rules

Sub Regarding D P C

Attention is invited to the opening para of the Appointments Department Circular letter No F 1 (6) Apptts/D/60 Pt III dated the 15th January, 1973 which provides that complete information in respect of the meetings of the D P. C viz Replies to questionnaire, Eligibility and Seniority Lists etc should be furnished to the members of the D P C atleast a week in advance of the meeting

It has been noticed that material for the meetings of the D P C is not circulated in advance In certain cases the same is supplied to the members of the D P C just at the time of meeting with the result that the information supplied can not be checked and much of time of the D P C is wasted in preliminary discussions Sometimes replies given in the questionnaire also do not contain full information and the same has to be collected by discussions at the time of the meeting

All the Appointing Authorities are again enjoined to ensure that whenever D P C meetings are held complete information as per instructions of the Department of Personnel should invariably be made available to the members of the D P C and the Department of Personnel atleast a week in advance and complete details are furnished so that the D P C's may complete their work as per schedule

(No F 6 (12) DOP (A II)/79 *Dated 8th June, 1979* )

2 Sub Meetings of Departmental Promotion Committees Proper determination of vacancies preliminary to be completed before holding of such meetings

Attention is invited to this department Circular No F 10 (3) Karmik/Ka II/75 dated 2-1-1976, *on the subject* mentioned above alongwith which a questionnaire to be furnished to the Members of the Departmental Promotion Committee was attached Looking to the practical difficulties and *various amendments* made in the Service Rules in the recent past a revised questionnaire has been prepared

The Departments concerned may kindly ensure to furnish the requisite information in enclosed revised proforma to the Members of the Departmental Promotion Committee. If any representative from the Department of Personnel is to attend the meeting, such information should be furnished to him at least before a week of the meeting so that the determination of vacancies and eligibility is scrutinised before hand.

QUESTIONNAIRE FOR D P C MEETING

**General.**

1.

2. Service Rules applicable

3. Composition of the D P C.

4. Date of the meeting of last D P C

5. *Determination of vacancies—*

(1) Previous years actual vacancies, if any, to be shown year wise.

(2) Current vacancies.

[a] Total sanctioned strength (both permanent & Temporary)

[b] Persons selected already (both by direct recruitment and D.P C)

[c] Posts unfilled by regularly selected persons (a b)

[d] Consequential vacancies due to

[i] Promotion on higher post.

[ii] Deputation/training/long leave.

[iii] Any other reason.

Attach list of persons due to whom consequential Vacancies have occurred with likely period of vacancies.

[e] Anticipated vacancies during 12 months due to promotions, retirement, creation of new posts

[f] Total vacancies for the year of selection (C plus D plus E).

6 Number of vacancies at 'f' above to be filled.

| | | | |
|---|---|---|---|
| [a] Direct recruitment | | | No. |
| [b] Promotion | (i) | Merit | No |
| | (ii) | Seniority cum merit | No |

7. Cycle of promotion to be followed by this D P C.

8. Reservation as per roster

[a] Schedule Castes.

[b] Scheduled Tribes.

9. Post (s) from which promotion is to be made.

[a] Designation.

[b] Group/Category of posts.

[c] Scale (s) of pay.

10. Qualifications/Experience etc prescribed for promotion.

11 Details of Direct Recruitment made, if any for the year (s) under consideration of the D P.C.

12. Seniority-cum-Eligibility list of persons within the zone of consideration in annexure I.

13. [1] Whether all the required Annual Confidential Rolls/Annual Performance Appraisal are available, If not, they should be got completed and up-dated before convening of D P.C. meeting.

[2] Whether adverse remarks in the A C. Rs , If any, have been communicated to the concerned and representations against the adverse remarks have been disposed off ?

14 Mention why be made if there is any Court Order or direction relevant to the holding of D.P C. meeting

15. A detailed note on the departmental enquires, court cases, punishment and awards should be enclosed as Annexure-III.

16. Any other information

**(Circular No F 10 (3) Karmik/Ka-II/75/Pt. II Dated 3rd Dec, 1980)**

Annexure–I

## QUESTIONNAIRE FOR D.P.C. MEETING

*Seniority-cum Eligibility list of persons within the zone of consideration.*

| S. No. | Name of the Officer | Whether S C./S.T. | Date of birth | Qualification | Appointment on the next lower post | | | Date of apptt. on higher post | Lenth of exp. as on 1.4.80 | Post held substantively in the Service. | Wether eligible for consideration if not given reasons. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Date of adhoc apptt. | Date of Regular-appointment | Date of confirmation. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |

[i] This list should be made out strictly according to seniority list.
[ii] If a senior person is not eligible–reasons for non-eligibility shoud be given.
[iii] If the seniority of any person is under dispute or not yet finalised, mention should be made.

# Sub : Ban on the posting of Gazetted officers of certain Departments in their Home Districts

## CIRCULAR

Government have decided that the gazetted officers of the following cadres and categories should not be posted in their Home Districts :—

1. I.A.S.
2. I P.S.
3. R A S.
4. R.P.S.
5. Treasury Officers
6. District Agriculture Officers.
7. Assistant Registrars, Co-operative Societies
8. District Industries Officers.
9. Executive Engineers, B&R and Irrigation.
10. Conservators of Forests.
11. Deputy Conservators of Forests.
12. Mining Engineers.
13. Assistant Mining Engineers.
14. Divisional Panchayat Officers.
15. Inspectors of Schools.

Tehsildars and Assistant Settlement Officers Grade II should not be posted in their home districts, but may not be posted outside their Home Divisions Regarding Block Development Officers recruited from the R A S. or R T S , where a posts is a combined one of Sub Divisional Officer cum-Blook Development Officer or Tehsildar cum-Block Development Officer, the officer should not be posted in his home district.

This ban will not apply to the following :—

(a) Officers working on headquarter post in the Secretariat, Board of Revenue and office of Heads of Department.

(b) The staff of the following offices and institutions :—

(i) Agriculture Colleges.

(ii) Rajasthan Legislative Assembly

(iii) Rajasthan Public Service Commission

(iv) Any other institution or office of Statewide nature

*This decision should be given effect to gradually so as not to bring* about wholesale transfer of officers at present but by 31-12 59 no officer of the above categories should remain posted in his home district

No F 2 (5) Apptts /A/58 Dated Jaipur, the 25th June, 1958

**CIRCULAR**

*Subject* —Ban on the posting of Gazetted Officers of certain Departments in their Home Districts

In continuation of this Department Circular of even number dated 25th June, 1958 Government have been pleased to clarify that the instructions laid down therein will apply to those persons also who will be holding in an officiating or temporary capacity all the posts specified in the cadres or services mentioned therein

No F 2 (5) Apptts /A/58 Dated Jaipur, the 29th Nov , 1958

**CIRCULAR**

Sub Ban on the posting of Gazetted Officers of certain Departments in their Home Districts

A question has been raised whether the ban imposed on the posting of Gazetted Officers of certain Departments in their Home District in the Appointments Circular No F 2 (5) Apptts /A/51, dated the 25th June 1958, would also apply to officers who may be posted outside their Home Districts but whose home districts fall within their territorial jurisdiction The matter has been examined and it is clarified that the ban would apply in such cases also subject to the exemptions provided in the circular under reference

No F 2 (5) Apptts /A/51 Dated Jaipur the 17th November, 1959

**CIRCULAR**

Sub —Ban on the posting of Gazetted Officer of certain Departments in their Home Districts

Government have been pleased to order that the ban on the posting of gazetted officers in their home districts as contained in Government circular of even number, dated the 25th June 1958 shall also apply to the following posts in the Forest Department —

(1) Assistant Conservators

(2) Divisional Forest Officer

No F 2 (5) Apptts /A/58 Dated Jaipur, the 22 Aug 1981

**CIRCULAR**

*Subject* —Ban on the posting of Government servants in their home districts

The State Government vide circulars of even number dated 25th June 1958 17th November 1959 and 22nd August, 1961 put restrictions on postings of certain categories of gazetted officers in their home districts

2 *It has now been decided to add to those categories of the posts* the posts of Tehsildars, Naib Tehsildars, Inspectors of Police a Sub-Inspectors of Police The officers/officials belonging to these categories will also always be posted outside their home districts

3. It is, therefore, enjoined on all Heads of Departments and other officers competent to make transfers that whenever an officers/official of the category of Tehsildar, Naib Tehsildar, Inspector of Police and Sub-Inspector of Police becomes due for transfer he should be transferred outside his home district, and in future also he should always be posted outside his home district

No. F 2 (5) Apptts /A.V/58 Jaipur, the 31st May, 1965

Sd- B Mehta

Chief Secretary to Government

Sub —Transfer Policy

Sir,

Pending formulation of a general policy in regard to the transfers of Government Servants belonging to above Departments a ban on transfers was imposed vide this department letter of even number dated 19 7-77 The Government have since finalised the policy and the following guide-lines are hereby issued —

1. **Transfer of Assistant Accounts Officer .**

The following principles shall be followed in their transfer —

(i) he should not remain on a post for more than 3 years

(ii) he should not be posted in home district

(iii) he should not hold any post more than once

(iv) he should not spend more than 8 years in any particular district

2 **Transfer of Accountants**

(i) he can be posted in his home district

(ii) he shall have remain on the same post for more than years

(iii) he should not hold the same post more than once

Subject to the above, Heads of Departments will be competant to transfer an Accountant from the place to another in their jurisdiction Prior approval of the Chief Accounts Officer will, however, be necessary in case they want to transfer as Accountant before he has completed two years in a post

3 **Transfer of Junior Accountants :**

(i) The Chief Accounts Officer will allot Junior Accountants to Collectors/Heads of Departments, who will be free to make postings under their respective jurisdictions. However, prior approval of the Chief Accounts Officer would be obtained in case they want to transfer a Jr Accountant before he has completed two years on a post

(ii) General policy of the Government in regard to U D Cs will apply to the transfer of Junior Accountant, subject to the condition that he should not remain on a post for more than 3 years at a time

4 **Transfer of Supervisors**

Supervisors of the Insurance Department posted outside Jaipur can be allowed to remain on a post for five years

5 **Ministerial staff & Class IV servants**

The general policy of the State Government shall be followed

6 The above conditions may be relaxed in respect of the last posting of an official in Sub-ordinate or ministerial service just before this retirement, provided such relaxation should not be available before 2 years from his retirem nt

7 For any other relaxation in the above policy guide lines concerned Heads of Departments shall obtain prior permission of the Government

No F 3 (5) FD/Gr IV/77 Jaipur, dated 20th September, 1977

Sub —Ban on transfer of low paid employee drawing less than 250/- p m outside their Home Districts

It has come to the notice of the Government that Officers are generally transferred outside their home Districts and sometimes even outside their Divisions hereby causing great hardships to the low paid employees Government have therefore, been pleased to order that all officers drawing less than Rs 250/- p m may not ordinarily be transferred outside their home Districts and if the transfer is unavoidable it should as far as possible, be confined to the Division

(G A D (A) Order No D 3097/F 5 (4) G A/A/55, dated 5-3 55)

Sub —Ban on transfers of persons who have been at one station for less than two years

Frequent transfers of Government Servants dislocate work, cause inconvenience to the employees and result in increased expenditure on travelling allowance Therefore subject to paras 2 and 4 below, no Government servant should henceforth be transferred from one Station to another unless he has been at the previous station for at least two years This principle should be followed by all authorities empowered to transfer Government servants of various categories

2 This order will not apply to the following —

(a) Persons transferred as result of promotion or reversion to a lower post

(b) Persons transferred for undergoing training or on completion of training

(c) Persons transferred as a result of abolition of posts

(d) Persons whose transfers are ordered by the High Court of Rajasthan or authorities subordinate to it

"(e) Persons whose transfers are made under Circular No F. 2 (5) Appts (A) 58, dated 25-6-68 of the Appointments Department

(Added vide F 1 (22) GA/A/50 dated 11-3-59)

3. In the case of a person who proceeds on long leave being completing two years at one station, he should be reposted at the same station on return from leave

4 Notwithstanding the powers of transfer now vested in various authorities it is hereby ordered that no transfer in relaxation of paras (1) and (3) should be ordered except after recording in detail the reasons for early transfer and obtaining the written concurrence of the authority next higher to the transferring authority In the case of persons transferred by the Heads of Departments the Administrative Department in the Secretariat shall be the next higher authority In the case of the gazetted officers who are transferred by the Administrative Departments of the Secretariat other than those under the Chief Minister, the next higher authority shall be the Chief Minister whose concurrence shall be obtained by submitting the case to him through the Chief Secretary

5 The Heads of Departments and the Administrative Departments of the Secretariat shall submit to the Chief Secretary in the appointments Department at the end of the current financial year, a statement showing the names of persons transferred from one Station to another in relaxation of the prescribed principle (1) and (3)

6 All Inspecting authorities and O & M Section in the Secretariat shall examine the cases of transfers of Government servents relaxation of the prescribed principles and satisfy themselves that concurrence of the higher authority was obtained by giving adequate reasons

7 * This Order supersedes all previous orders on the subject excepting Circular No F 2 (5) Appts (A) 58, dated 25 6-58 of the Appointments (A) Department

(Substituted Vide No F 1 (22) G A/A/58, dated 11-3-59)

(G A Deptt (A) No F 1 (22) G A/A/58, dated 31-7-1958)

Sub :—Ban on transfers of persons who have been at one station for less than two years

After the issue of this Department order No F 1 (22) GA/A/58 dated 31st July, 1958 it has been brought to notice that transfers of various

persons have been allowed at their own request even though they had stayed at a place for less than two years. It is correct that in such cases no expenditure on T. A. etc. has to be incurred by the Government but it has been envisaged in the opening lines of this department circular mentioned above that besides increase in expenditure on travelling allowance, such early transfers dislocate work also. In clarification of the Government order referred to above, I am desired to clarify further, therefore, that transfers of persons shall not be allowed even at the requests of the persons, unless the other conditions mentioned in the Government order dated 31st July, 1958, referred to above are fulfilled.

(G.A.D. (A) Order No. F. 1 (22) G A/A/58, dated 31-1-1959).

Sub :—Ban on Transfer of persons who have been at one Station for less than two years.

Even after the issue of Government orders No F. 1 (22) GA/A/58 dated 31-7-1958 and 29/31 January, 1959 on the subject mentioned above, it has been observed that although there had been some improvements in this respect, yet premature transfers have not been completely eliminated

It is therefore enjoined upon all Heads of Departments/Offices etc. that they should make further efforts in this direction.

The Government have been further pleased to order that the instructions issued vide this department order No F 1 (22) GA/A/58, dated 31-7-1958, as amended subsequently shall also be applicable in respect of the transfers of non-gazetted Staff.

(G.A.D. (A) Order No. D. 6099/59/F. 1 (22) G. A/A/58, dated 16/18-4-59).

Sub :—Ban on frequent transfers of Government servants from one station to another.

Ref. :—This Department Order No. D. (199/59/F. 1 (22) GA/A/58 dated the 16/18th April, 1959.

It has been noticed that persons are still being transferred from the places of their postings in contravention of the Government Order of even number dated 31st July, 1958 as amended subsequently without the prior sanction of the next higher authority being obtained thereon.

Further more, it has also been noticed in some cases that the next higher authority has merely been informed of the transfer. This is not enough.

It is therefore enjoined upon all the Heads of Departments, Commissioners and Collectors etc. that the strict compliance of the Government Order referred to above should be made and prior sanction of the next higher authority regarding transfer must always be obtained in all such cases.

(G.A.D. (A) order No. FI (22) GA/A/58, Dated 17-8-59.)

परिपत्र

विषय :—अल्प वेतन भोगी कर्मचारियो को गृह जिले के बाहर स्थानान्तरण नहीं किये जाने के सम्बन्ध मे ।

इस विभाग के समसंख्यक परिपत्र दिनाक 23-12-77 द्वारा समस्त विभागाध्यक्षो को यह सूचित किया गया था कि वेतन शृंखला स० 9 तक वेतन पाने वाले राज्य कर्मचारियो का स्थानान्तरण जहा तक सम्भव हो सके उनके अपने जिले के बाहर नही किया जाना चाहिए और यदि ऐसा किया जाना सम्भव न हो सके तो उन्हे अपने जिले के समीप के जिले मे ही स्थानान्तरित किया जावे ।

उक्त आदेशो को ध्यान मे रखते हुए जब भी कोई जगह खाली हो अथवा कोई पद रिक्त हो तो इन पदो पर उन कर्मचारियो को स्थानान्तरित करने का प्रयास किया जावे जो अपने गृह जिले से दूर स्थानो पर पद स्थापित हैं और आने के इच्छुक हैं ।

स० प० 14 (83) कार्मिक/क-5/77 जयपुर, दिनांक 9 जून, 1978

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परिपत्र

विषय —अल्प वेतन भोगी कर्मचारियो का गृह जिले के बाहर स्थानान्तरण नहीं किये जाने के सम्बन्ध में ।

इस विभाग के समसंख्यक परिपत्र दिनाक 23-12-1977 द्वारा समस्त विभागाध्यक्ष को यह सूचित किया गया था कि वेतन शृंखला 9 तक वेतन पाने वाले राज्य कर्मचारियो का स्थानान्तरण जहा तक सम्भव हो सके, उनके अपने जिले के बाहर नही किया जाना चाहिए और यदि ऐसा किया जाना सम्भव नही हो सके तो उन्हें अपने जिले के समीप के जिले मे ही स्थानान्तरित किया जावे । उक्त आदेशो को ध्यान में रखते हुए दिनाक 9-6-78 द्वारा यह भी सूचित किया जा चुका है कि जब भी कोई जगह खाली हो अथवा पद रिक्त हो तो इन पदो पर उन कर्मचारियो को स्थानान्तरित करने का प्रयास किया जावे जो अपने गृह जिले से दूर स्थानो पर पद स्थापित हैं और आने के इच्छुक हैं ।

अत उपरोक्त आदेशो को ध्यान मे रखते हुए उन कर्मचारियो के प्रार्थना पत्रो पर भी सहानुभूति पूर्वक विचार कर लिया जावे, जिसके सेवा निवृत्त होने मे केवल पाच वर्ष ही शेष रह गये हो और अपने जिले मे अथवा समीपस्थ स्थान, जहा पर पद रिक्त हो, पदस्थापन/स्थानान्तरण कराने के लिए प्रस्तुत करें ।

स० प० 14 (44) कार्मिक/क–5/79 जयपुर, दिनाक 25 जून, 1979

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अल्प वेतन भोगी कर्मचारियो का गृह जिले के बाहर स्थानान्तरण नही किया जावे ।

अल्प वेतन भोगी कर्मचारियो को राहत प्रदान करने की दृष्टि से राज्य सरकार ने कार्मिक (क-5) विभाग के सम संख्यक परिपत्र दिनाक 25-6-79 द्वारा समस्त विभागाध्यक्षो से यह निवेदन किया था कि वेतन श्रृ खला 9 तक वेतन पाने वाले राज्य कर्मचारियो का स्थानान्तरण जहा तक सभव हो सके उनके गृह जिले के समीप ही किया जावे । इसके अतिरिक्त सरकार द्वारा इस सम्बन्ध मे भी जोर दिया गया था कि उन कर्मचारियो के सबध मे भी सहानुभूति पूर्वक विचार किया जाय जिनके सेवा निवृत्त होने में केवल पाच वर्ष ही शेप रह गये हैं और अपने जिले मे अथवा समीपस्थ स्थान जहा पर पद रिक्त हो पदस्थापन/स्थानान्तरण कराने के लिए इच्छुक हो ।

सरकार के ध्यान मे आया है कि उपरोक्त परिपत्र का पूर्णरूप से पालन नही किया जा रहा है । अत इस सम्बन्ध मे जारी किये गये उपरोक्त निर्देशो को पुन दोहराते हुए आदेश हैं जब भी कोई पद रिक्त हो तो इन पदो पर उन कर्मचारियो के स्थानान्तरण को प्राथमिकता दी जावे जो अपने गृह जिले से दूर स्थानो पर पद स्थापित हैं और आने के इच्छुक हो । इसके अतिरिक्त उन कर्मचारियो के प्रार्थना पत्रो पर भी विचार किया जाये जिसके सेवा निवृत्त होने मे केवल पाच वर्ष ही शेप रह गये हो और अपने जिले मे अथवा समीपस्थ स्थान पर जहा पद रिक्त हो पदस्थापन/स्थानान्तरण कराने के लिए प्रस्तुत करें ।

स० प० 14 (44) कार्मिक/क-5/79(2/80) दिनाक 7 जनवरी, 1980

## परिपत्र

विषय —पति-पत्नी राज्य कर्मचारियो का एक ही स्थान पर पद-स्थापन ।

उपरोक्त विषय मे राज्य सरकार द्वारा यह निर्णय लिया गया है कि यदि पति पत्नी भिन्न भिन्न स्थानो मे राजकीय सेवारत हो तो उन्हे एक ही स्थान पर पद-स्थापन के सम्बन्ध मे उनके द्वारा प्रस्तुत प्रार्थना पत्रो पर सहानुभूति पूर्वक विचार किया जावे ।

क्रमाक एफ 14 (45) कार्मिक/क-5/77 जयपुर, दिनाक 17 सितम्बर, 1977

पति पत्नी राज्य कर्मचारियो का एक ही स्थान पर पद स्थापन किया जावे ।

कार्मिक (क-5) विभाग के समसख्यक परिपत्र दि० 17 9-77 द्वारा समस्त विभागाध्यक्षो आदि से निवेदन किया गया था कि यदि पति-पत्नी भिन्न भिन्न स्थानो पर राजकीय सेवारत हो तो उन्हे एक ही स्थान पर पद स्थापन मे उनके द्वारा प्रस्तुत प्रार्थना पत्रो पर सहानुभूति पूर्वक विचार किया जावे ।

सरकार के यह ध्यान मे आया है कि उपरोक्त परिपत्र का पूर्ण रूप से पालन नही किया जा रहा है । अत उपरोक्त निर्देशो को पुन दोहराते हुए आदेश है कि भिन्न-भिन्न स्थानो पर कार्यरत पति-पत्नी राज्य कर्मचारियो द्वारा एक ही स्थान पर पद स्थापन के सम्बन्ध मे प्रस्तुत प्रार्थना पत्रो पर विचार किया जावे ।

आज्ञा स० प० 14(45) कार्मिक/क-5/77 (3/80) दि० 7 जनवरी, 1980

Sub. —Punctuality in Government offices

Over the last few years the Govt from time to time issued instructions regarding observations of punctuality in the Government offices and have on various occasions awarded punishments also to the late comers The Government have, however, observed with concern that the position in this respect has not improved substantially It is primarily the responsibility of the immediate superior officers to ensure punctuality in their respective offices and it is obvious that they have failed to discharge their responsibility satisfactorily It is necessary that greater strictness at all leavels is observed in this respect and that suitable punishments are awarded to the persis ent late comers The Government have, therefore, decided that wherever there is persistent default in this respect the following action shall invariably be taken —

When a default of this nature is pointed out for the first time, a verbal warning should be given When the default is pointed out a second time, a recorded warning should be awarded to the delinquent If the Govt servant concerned still persists in his unpunctuality and it is necessary to take necessary action against him a third time his one grade increment without cumulative effect should be stopped If inspite of all this he persistantly defaults, then three grade increments without cumulative effect should be stopped, stopage of grade increments should, however, take place after observing the necessary formalities under the Rajasthan Govt Servants (Classification, Control and Appeal) Rules.

There should be a periodical check up and surprise visits by the superior officers to ascertain that punctuality was being observed by all Government employees

A lunch break has been provided during the office hours It is necessary that punctuality is observed while arriving in the office in the morning and immediately after the lunch break as well

In order to tighten up the procedures in this respect further, it is enjoined that the attendance registers in respect of the ministerial staff (and also other subordinate staff, where feasible) should be put up before the assistant secy nominated by each Secretary 15 minutes after the office is scheduled to start functioning each day in case of Secretariat and before a gazetted officer nominated by each Head of the Deptt in case of offices of the Head of Departments and before the Heads of other offices in case of other offices

Each Secretary to Government and Head of a Deptt will maintain an attendance register in respect of gazetted officers who are working immediately under him at the Headquarters This register will be kept in the room where the Secy. to Govt of the Head of the Deptt. sits Each gazetted officer will sign in the register every day immediately on arriving in office in taken of presence in office All Secretaries to Govt will send these registers once a h to the Chief Secretary for perusal

Similarly in other offices such a register will be maintained by the Senior-most gazetted officer who is incharge of any office and a similar procedure will be followed by the other gazetted officers subordinate to him and who are posted in that office

The Divisional Level Officers will be responsible to pay surprise visits to the offices of the District Level Officers and other subrodinate offices at their Headquarters from time to time and will report to their Head of the Deptt. whether punctuality was being observed or rot. They will take necessary disciplinary action also where necessary. In districts where Divi ional Level Officers are not posted this duty will devolve on the respective Collectors. They will visit the various offices of the other departments located within their districts from time to time and intimate to the respective Head of the departments for necessary action, the position in respect of the punctuality in such offices.

[O & M Department No F. 3 (33) O & M (Gr II) 74, dated .5-2-1976 ]

विषय :—कार्यालय मे उपस्थिति—विलम्ब से आना ।

इस विभाग के समसख्यक परिपत्र दिनाक 25-2-76 के अतिक्रमण मे सचिवालय नियमावली के अनुच्छेद 20 को, जिसमे आज्ञा सहित एव रहित कार्यालय मे विलम्ब से आने की प्रक्रिया अ कित की गई है, निम्न प्रकार से सशोधित किया जाता है —

अनुच्छेद–20

(क) प्रत्येक राज्य कर्मचारी, यदि वह निश्चित समय पर कार्यालय मे उपस्थित होने की स्थिति मे नही है, छुट्टी के लिए आवेदन करने की अपेक्षा की जाती है । विलम्ब से आने के लिए साधारणतया विलम्ब से आने के बाद स्वीकृति नही दी जानी चाहिए । जो कर्मचारी अनवेक्षित परिस्थितियो के कारण उपस्थित होने मे असमर्थ है उन्हे यह तथ्य लिखित मे या मौखिक तौर पर अपने वरिष्ठ अधिकारियो के ध्यान मे लाने का अधिकतम प्रयास करना चाहिए ।

(ख) उन व्यक्तियो के नाम के सामने जो निश्चित समय के पश्चात् कार्यालय मे उपस्थित होंगे, "विलम्ब से" अ कित कर दिया जाएगा तथा उनके आकस्मिक छुट्टी लेखा में पूरे एक दिन की आकस्मिक छुट्टी घटा दी जाएगी ।

(ग) राजपत्रित अधिकारियों के बारे मे, जिनका विलम्ब से आना पाया जावे, चाहे यह पहिला अवसर ही हो, अभिलिखित चेतावनी दी जाएगी । ऐसी चेतावनी वार्षिक गोपनीय प्रतिवेदन के साथ रखी जाएगी ।

(घ) एक ही कैलेण्डर अथवा वित्तीय वर्ष के दौरान, उस आधार पर निर्भर रहते हुए जिस पर आकस्मिक छुट्टी लेखा रखा जाता है, दूसरी बार देर से आने

पर राजपत्रित तथा अराजपत्रित दोनो ही के मामले म उक्त व्यक्ति क बिना वेतन की छुट्टी पर माना जाएगा लकिन पेन्शन वेतन वृद्धि वरिष्ठता आदि के प्रयोजनाथ इसे सेवा भग नही माना जाएगा ।

(ग) एक ही वष क दौरान तीसरी बार तथा इसक बाद विलम्ब से आन पर राजपत्रित तथा अराजपत्रित कमचारियो को बार बार विलम्ब स आने वालो की श्रेणी म माना जावेगा तथा उनके विरुद्ध सामा य प्रशासन विभाग के परिपत्र स० एफ० 2 (2) जी० ए० ए/65 दिनांक 2 7 65, जिसका व्यवस्था एव पद्धति विभाग के आदेश सख्या एफ० 3 (33) व्य० एव प०/ग्रुप 2/74 दिनाक 25 2 76 द्वारा पुन उल्लेख किया गया है आवश्यक कायवाही की जावगी ।

विभागो एव उनक अधिनस्थ कार्यालयो के लिए प्रसारित कार्यालय प्रक्रिया पुस्तिका के अनुच्छेद 5 मे तथा जिला नियमावली (भाग 1) के अनु० 6–9 अध्याय 3 मे अकित विलम्ब से आने सम्बधी प्रावधान भी इस भाति सशोधित हो जायग तथा उनके स्थान पर उपयुक्त आदेश प्रभावी होग ।

[व्यवस्था एव पद्धति अनुभाग परिपत्र स० 3 (33) व्य० एव प०/ग्रुप–1/74 दिनाक 15 9 1976]

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Sub —Attendance Registers

In partial modification of the provisions contained in para 5 of the Hand Book of Office Procedure for Heads of Departments and para 4 10 of the District Manual (Part I) it has been decided that —

(a) attendance registers for all non gazetted staff should be kept in the rooms of 2 3 officers nominated by the Head of the Department

(b) all gazetted officers should mark their attendance in the room of the Head of the Department In the absence of the Head of the Department the attendance registers should be kept in the rooms of the next senior most officer

All Heads of Departments are requested to implement these provisions with immediate effect Similar instructions will also be issued by them for the regional and district level offices under them

(O & M Department Circular No F 3 (33) O & M/1/74 dated 25 1 76)

The following amendment in the Secretarate Mannual is hereby ordered —

The existing provision under para 19 (2) (d) of the Manual shall be substituted by the following —

' Those who attend office after prescribed hours will be marked late and half day s C L shall be debited to C L account"

(Order No F 33 (26) DOP/AR/Gr 1/79, dated 11th April, 1980)

Subject —Action to be taken in cases where Government servants are convicted on a criminal charge by a Court of Law

In supersession of the instructions contained in the department circular of even number dated 22-3-75, it is hereby ordered that hence forth the following procedure should be followed in the cases in which a Government servant is convicted by a Court of law on a criminal charge —

(i) As soon as a Government servant is convicted on a criminal charge, the disciplinary authority should consider the facts of the case and the quantum of punishment awarded and decide whether any penalty is to be imposed on the Government servant under Rajasthan Civil Services (Classification Control & Appeal) Rules

(ii) In cases in which his continuance on Government duty is primafacie undesirable on account of his conviction he may be place under suspension if not already suspended

(iii) In a case where a Government Servant has been convicted by court of law of an offence which is such as to render his further retention in public service primafacie undesirable action to dismiss/remove or compulsorily retire him from Government service should not be taken before the period for filling an appeal has elapsed or, if an appeal has been filed before the appeal has been decided finally If first appeal filed by the Government servant convicted by the trial court fails, Appointing Authority of that Government servant should not take immediate action to dispense with services of such Government servant but wait till the period for filing second appeal (if admissible) has elapsed or if a second appeal has been filed till such an appeal has been decided finally Action to dispense with the services of a Government servant should be taken promptly as soon as the final appeal is decided against the Government servant (standard forms for such orders are enclosed (A B C) Appropriate form should be used

(iv) In cases where the Rajasthan Public Service Commission have to be consulted in regard to the puantum of dunishment to be imposed on the delinquent Government servant the advice of the Commission should be sought before the final decision to dispense with the services of such Government servant is taken

(v) If an appeal/revision againt the conviction by the trial court succeeds and the Government servant is acquitted, a copy of the judgement

## लोक सेवकों के विरुद्ध प्राथमिक जांच की प्रक्रिया निर्धारित

यद्यपि लोक सेवको के लिए बने विभिन्न सेवा नियमा मे प्रारम्भिक जाच (P. minary enquiry) के बारे म विशेष तौर से कोई प्रावधान किया हुआ नही है, किन्तु जाच की आवश्यकता के सम्बन्ध म दो मत नहीं हो सकते। लोक सेवको के विरुद्ध प्राप्त वाली शिकायत, उनके आचरण के सम्बन्ध म किये जाने वाले आक्षेप तथा उनके विरु जाने वाली अनुशासनिक कार्यवाही के सदर्भ म प्रारम्भिक जाच का बडा भारी महत्व है।

लोक सेवको के विरुद्ध लगाये जाने वाले आक्षपो की अनदेखी नही की जा सक जैसे ही उनके आचरण के सबध में कोई आपत्तिपूर्ण बात प्रशासन के ध्यान म आती है या जाती है, तुरन्त तथ्यो का पता करने का प्रयत्न किया जाना चाहिए। प्रारंभिक रूप से का पता लगाने के लिए जो प्रक्रिया अपनाई जाती है उसी का नाम प्रार जाच है। प्राय ऐसा होता है कि लोक सेवको के विरुद्ध प्राप्त शिक को निपटाने म बहुत विलम्ब हो जाता है। इसका मुख्य कारण यह कि प्रारम्भिक जाच पूरी गभीरता से और उचित तरीके से सपादित नही की जाती। कोई सदेह नही कि लोक सवको के विरुद्ध प्राप्त होने वाली बहुत सी शिकायतें झूठी, मन अथवा आधारहीन होती है किन्तु प्रत्येक अधिकारी का यह कर्त्तव्य है कि लोक सेवक के जो भी शिकायत प्राप्त हो उस पर अविलम्ब समुचित कार्यवाही करे व सत्य का पता लग आवश्यकता हो तो प्रारंभिक जाच के आदेश दें।

लोक सेवको के विरुद्ध शिकायतो को निपटाने व तथ्यो का पता लगाने के प्रारम्भिक जांच कराने के सबध म सभी राजकीय विभागो मे समान प्रक्रिया का अपनाया वाछित है। इसी को ध्यान मे रखते हुए निम्न निर्देश प्रसारित किये जाते हैं—

(1) यदि शिकायत गुमनाम है और जो आक्षेप लगाये गए है वे अस्पष्ट हैं कि "अमुक व्यक्ति भ्रष्टाचार मे लिप्त है या "अमुक व्यक्ति व्यभिचारी और व्यसनी है' य 'अमुक व्यक्ति ने रिश्वत से लाखो की सम्पत्ति बनाली है" आदि-तथा किसी घटना या प्र विशेष का उल्लेख नही है तो ऐसी शिकायता पर किसी कार्यवाही की आवश्यकता नही ऐसी शिकायतो को नस्तीबद्ध किया जाये।

(2) यदि शिकायत मे जो आक्षेप लगाये गए हैं, वे तो विशिष्ट किस्म के किन्तु शिकायत-पत्र मे शिकायत कर्ता का नाम व पता उपलब्ध हो तो रजिस्टर्ड पत्र शिकायतकर्ता को लिखकर पूछा जाए कि क्या उसके पास आरोपो को प्रमाणित करने के सबूत है और क्या जाच आरम्भ करने पर शिकायत मे लगाये गए आक्षेपो को प्रमाणित करे यदि शिकायतकर्ता रजिस्टर्ड पत्र का निर्धारित समय मे उत्तर नही देता है तो ऐसी शिक को नस्तीबद्ध कर दिया जाए।

किन्तु यदि शिकायतकर्ता जाच मे सबूत प्रस्तुत करने की सूचना देता शिकायतकर्ता को बुलवाकर उससे मालूम किया जाना चाहिए कि उसके पास क्या सबूत यदि सभव हो तो शिकायत प्राप्त करने वाला अधिकारी दौरे के समय मे शिकायतक रहवास के ग्राम या नगर मे या नजदीक के स्थान पर बुलवाकर मालूम करने या उचित तो अपने अन्य अधीनस्थ अधिकारी को भेजकर शिकायतकर्ता से सबूत के सम्बन्ध मे जान

प्राप्त करवाले । यदि शिकायत प्राप्त करने वाले अधिकारी को यह विश्वास हो जाये कि शिकायतकर्ता के पास ठीक सबूत है तो उस शिकायत को प्रारंभिक जाच आरम्भ करने के रजिस्टर मे (जो सलग्न प्रपत्रानुसार तैयार किया जाए) पजीकृत किया जाकर प्रारम्भिक जाच का आदेश दिया जाना चाहिए ।

(3) यदि लोक सेवक के विरुद्ध शिकायत मे स्पष्ट घटनाओ और प्रकरणो का उल्लेख हो परन्तु शिकायत गुमनाम हो या शिकायतकर्ता से पूछने पर, कोई उत्तर नही आया हो तो शिकायतकर्ता ने रिकार्ड के आधार पर जाच करने को कह दिया हो तो यदि उचित समझा जाए तो रिकार्ड से जाच की जा सकती है ।

(4) प्रारम्भिक जाच करने के आदेश करने वाले अधिकारी यदि स्वय जाच करने के लिए समय नही निकाल सके तो वह किसी अन्य वरिष्ठ अधिकारी को जाच सौपे । जाच कराने का आदेश जिस अधिकारी के पदनाम से किया जाये जाच उसी अधिकारी द्वारा की जाए । ऐसे अधिकारी आगे किसी अन्य अधिकारी से जाच नही करायेगा ।

(5) प्रारम्भिक जाच सामान्यतया अधिक से अधिक तीन माह म समाप्त हो जानी चाहिए, यदि किसी जाच मे इससे अधिक समय लगने की सम्भावना हो तो उसकी सूचना कारण सहित उस अधिकारी को भेजी जानी चाहिए जिसने प्रारम्भिक जाच के आदेश दिये थे।

(6) रिश्वत लेने या भ्रष्ट आचरण से सम्पत्ति अर्जित करने जैसी शिकायतो की जाच कराने का निर्णय लेने पर विभागाध्यक्ष अथवा प्रशासनिक विभाग के माध्यम स पत्रादि भ्रष्टाचार निरोधक विभाग को भिजवा दिए जाने चाहिए । लेकिन ऐसा निर्णय करने म तनिक भी विलम्ब नही होना चाहिये । ऐसे मामलो मे विलम्ब होने से जाच का प्रयोजन ही निष्फल हो सकता है ।

(7) प्रारम्भिक जाच करने वाला अधिकारी सभी शिकायतो पर सभी उपलब्ध साक्ष्य एकत्रित करेगा । जिन लोगो के मौखिक बयान लेगा उन्हे लिखकर उन पर बयान देने वाले के हस्ताक्षर करवायेगा । जिस अधिकारी के विरुद्ध शिकायत है वह यदि अपने पक्ष को लिखकर स्पष्ट करना चाहता है तो उसको लिखित स्पष्टीकरण प्रस्तुत करने या बयान देने का अवसर प्रदान किया जाना चाहिए । जहा तक सम्भव हो प्रारम्भिक जाच मौके पर की जाए ।

(8) प्रारम्भिक जाच करने वाले अधिकारी को यथा सभव सबधित अभिलेख अपने नियन्त्रण मे ले लेना चाहिए व उसकी सूची बनाकर समस्त अभिलेख मय सूची के जाच प्रतिवेदन के साथ प्रारम्भिक जाच की आज्ञा देने वाले अधिकारी के पास भेज देना चाहिए ।

(9) प्रारभिक जाच करने वाला अधिकारी ऐसी समस्त साक्ष्य लेने के बाद उसी पर भली प्रकार से विचार कर प्रत्येक आरोप के सम्बन्ध म अपना निष्कर्ष व्यक्त करते हुए जाच का प्रतिवेदन उस अधिकारी को भेजेगा जिसके आदेश से प्रारभिक जाच की गई थी । यदि जाच अधिकारी के सबध मे शिकायत प्रथम दृष्टया साबित होना पाई जाए तो वह जाच प्रतिवेदन के साथ दोषी लोक सेवक के विरुद्ध आरोप पत्र व आरोप विवरण पत्र का प्रारूप बनाकर भी भिजवायेगा ।

(10) प्रारम्भिक जाच का प्रतिवेदन प्राप्त हो जाने पर सबन्धित अधिकारी को अधिक स अधिक एक माह म निर्णय कर लेना चाहिए कि प्रारम्भिक जाच के बाद नस्तीबद्ध करने योग्य है या आगे अनुशासनिक या न्यायिक कार्यवाही की जानी चाहिए ।

(परिपत्र क्रमाक एफ/6/कार्मिक/क-3/79 दिनाक 26-3-80)

# प्रारम्भिक जांच का रजिस्टर

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|---|---|---|---|---|
| क्रम सख्या | शिकायत कर्ता का नाम तथा शिकायत प्राप्त होने का जरिया। | राज्य सेवक जिसके विरुद्ध शिकायत प्राप्त हुई है, का नाम व विवरण। | शिकायत मे अंकित कथित आदेश का विवरण। | आरोपो को प्रमाणित करने के विषय मे शिकायत कर्ता के पास क्या प्रमाण है। | प्रारम्भिक जाचकर्ता अधिकारी का पद व नाम। | प्रारम्भिक जाच के सबध मे कौन-कौन से अभिलेख कब-कब प्राप्त किये गये। | प्रारम्भिक जाच की प्रगति का विवरण जैसे गवाहो के बयान मौके का निरी-क्षण आदि की तिथि व अन्य विवरण। |

| 9 | 10 | 11 | 12 | 13 |
|---|---|---|---|---|
| प्रारम्भिक जाच यदि 3 माह मे पूरी न हो सकी है तो उसका कारण। | प्रारम्भिक जाच का निष्कर्ष/सिफारिश। | प्रारम्भिक जाच के प्रतिवेदन को अग्रिम कार्यवाही हेतु उच्चाधिकारियो को प्रेषित किये जाने की तिथि। | यदि शिकायत भ्रष्टाचार निरोधक विभाग को प्रेषित की गई हो तो उसकी तिथि व अन्य विवरण। | टिप्पणी/विवरण |

ously as possible and the Government have expressed concern at the delay caused in the disposal of departmental enquiries To avoid delay instructions have been issued from *time to time emphasising the need for timely collect on* of record framing of draft statement of allegations and chargesheet and appointment of departmental representatives It has however, been not ced that inspite of all this there has not been proper appreciation of the respon sibility cast on the authorities which recommend cases for departmental proceedings against the Gazetted/Non Gazetted employees and the disciplinary authorities have to make repeated references to such authorities for ensuring timely collection of record preparation of draft chargesheet and for other req uirements connected with such *proceedings*

It has also been observed that the Administrative Departments and *Heads of Departments etc make urgent recommendations to the Department* of Personnel for placing the Government officers under suspension for the defaults alleged against them, but after the officers have been suspended the Administrative Departments and the Heads of Departments etc do not pur sue matters for further actions like transmitting draft chargesheet and statement of allegations and other requisite information, for months and sometimes even for a year or two despite reminders from the Department of Personnel The result is that the officers remain under suspension for an unduly long time

Sometimes the Administrative Departments/Heads of Departments while recommending the officers for suspension make serious allegations against them but after the officers for suspension they forward the material for initiation of action for a minor p nalty under Rule 17 of the Rajasthan Civil Services (Classification Control and Appeal) Rules 1958 and also recommend their reinstatement This shows that the authorities do not take a balanced view of the matter and exaggerated allegations are make for securing suspension *of the officer This is inappropriate* Ordinarily an officer should not be recommended for suspension unless the allegations are grave enough to warrant his dismissal or removal from service Apart from causing harass ment to the officer concerned and avoidable loss to the Government such recommendations also place the Department of Personnel in a very awkward position and it becommes difficult to satisfy the Audit when objected to

... notice of the Government that the ... artments etc recommend cases ... who is either on the verge of retirement or has already retired In dealing with such cases several com plications arise and quite often Government is left with no alternative but to close them after undergoing an infructous exercise

It is thereforenjoined upon all the Admin strative Departments/ Heads of Dapartments and other authorities recommending disciplinary action against the Government employees that they should look into such at their own level and ensure effective action so as to obviate short

comings and lapses of the type indicated in the foregoing paragraphs with the same object in view the following instructions are also laid down for strict compliances —

(1) After an officer has been placed under suspension on the recommendation of the concerned authority, the draft statement of allegations and the charge sheet should be sent to the Department of Personnel to such authority within a period of a months positively

(2) In case disciplinary action is to be taken against an officer who is nearing retirement, the concerned authorities should make reference well in advance of such retirement so that the departmental enquiry can be finalised before he superannuates

(3) While referring the cases for departmental action the sponsoring authority should carefully scrutinise the allegations and unless the allegations are grave enough warnning a major penalty, the proposal should always be make for holding a departmental enquiry for a minorspenalty under rule 17 of the Rajasthan Civil Services (Classification, Controll and Appeal) Rules 1958

(4) While recommending cases for disciplinary action, following conditions must be fulfilles —

(a) the draft charge sheet and statement of allegations to be served upon the officers/officials involved in the case should accompany recommendation for action

(b) a certificate must be sent alongwith the proposal for department actional that the entire relevant record pertaining to the case has been collected and kept a one place for facility of its inspection by the delinquent officers as and when necessary,

(c) the name of the departmental representative who may represent the case before the Enquiry officer should be suggested with the proposal for departmental enquiry,

(d) the following information in respect of the delinquent officer(s) involved in the case should accompany the proposal for a departmental enquiry—

(1) Designation and present posting

(2) The actual pay and the scale or pay,

(3) The date of birth and the date of supernnuation

It may be reiterated that the aforesaid Instructions should be observed most scrupulously foiling with the Government would be constrained to take serious view of the lapses

(F 7 (36) D O P (A-III) 74, Dated 22-5-74)

इस विभाग के परिपत्र संख्या एफ 9 (34)कार्मिक/क–3/77 दिनांक 19 9 77 द्वारा समस्त अनुशासनिक प्राधिकारियों से यह निवेदन किया गया था कि जब भी अनुशासनात्मक कार्यवाही के फलस्वरूप किसी अधिकारी/कर्मचारी के संबंध में राजस्थान असैनिक सेवा (वर्गीकरण, नियन्त्रण एवं अपील)नियम 1958 के नियम 14 के खण्ड V से VII पर निर्देशित वृहद् दण्डों में से कोई दण्ड देने का अन्तिम निर्णय ले लिया जाता है तो आरोपित अधिकारी/कर्मचारी को उपरोक्त वर्णित नियमों के नियम 16 (10) के अन्तर्गत कारण बताओ नोटिस जारी करने के साथ ही तुरन्त प्रभाव से निलम्बित कर दिया जावे, यदि वह पहले ही से निलम्बित न हो।

शासन के ध्यान में यह बिन्दु लाया गया है कि जो कर्मचारी अपने कार्य में स्वेच्छा पूर्वक लगातार अनुपस्थित हो और जिसके संबंध में वृहद् दण्ड दिये जाने का अन्तिम निर्णय ले लिया जाता है तो क्या उसको भी कारण बताओ नोटिस के साथ ही निलम्बित करने के आदेश जारी किये जावें। राज्य सरकार ने इस मामले पर विचार किया है और इस निर्णय पर पहुंची है कि ऐसे कर्मचारी जो स्वेच्छा से लगातार अनुपस्थित है किसी प्रकार के वेतन आदि पाने योग्य पात्र नहीं रहते हैं अतः यदि उनको निलम्बित किया जाता है तो वह अपने निलम्बन के काल में नियमानुसार निर्वाह भत्ता पाने का हकदार होता है। चूंकि कर्मचारी स्वेच्छा से लगातार अनुपस्थित रहने के कारण ही उसको वृहद् दण्ड देने का निर्णय लिया जाता है तो ऐसी स्थिति में उमको निलम्बित करना ठीक नहीं है क्योंकि ऐसा करने से वह निर्वाह भत्ता आदि पाने का अकारण ही हकदार हो जायेगा।

अतः इस विभाग के परिपत्र संख्या एफ 9 (34) कार्मिक/क-3/77 दिनांक 19 9 77 के क्रम में समस्त अनुशासनिक प्राधिकारियों से निवेदन है कि जिन अधिकारियों/कर्मचारियों के संबंध में स्वेच्छा से लगातार अपने कार्य में अनुपस्थित रहने के कारण अनुशासनात्मक कार्यवाही के फलस्वरूप वृहद् दण्ड देने का अन्तिम निर्णय लिया जाता हो, उनको कारण बताओ नोटिस जारी करने के साथ निलम्बित नहीं किया जावे।

(परिपत्र संख्या एफ 9 (34) कार्मिक/क-3/77 दिनांक 5 5 79)

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# Important Circulars & Orders Of Rajasthan Government

## *Procedure to be followed by Departmental Promotion Committees/Appointing Authorities regarding promotion of Government servants under suspension or against whom disciplinary proceedings are pending or are to be initiated.

1. The Government have already amended the various Service Rules, de this Department Notification No.F. 10(1) Karmik/Ka-II/75-I dated the 5th larch, 1976 providing that "Government may issue instructions for provisionally [illegible]

(1) No. F. 1(7) Apptts (A-II)/68, dated the 18th September, 1971.

(2) No. F. 1(7) Apptts (A-II)/68, dated the 1st April, 1975.

(3) No. F. 10(1) Karmik/Ka-II/75, dated the 4th December, 1975.

**[illegible]pe of the Instructions :**

2. The[illegible] er suspension [illegible] or 17 of the [illegible] es 1958, have been initiated i.e., where a charge sheet and statement of gations have been issued under rule 16 and the disciplinary proceedings pending at any stage or where a statement of allegations under rule 17 has n issued and the proceedings are pending and (iii) against whom ciplinary proceeding are proposed to be initiated i e, on the basis of a prelimi- [illegible] the competent authority [illegible] where a charge sheet and [illegible] allegations under rule 17

**Proceedure to be followed in cases where a Government rvant is under suspension at the time when promotion to higher sts is considered by the Departmental Promotion Comittee or by e Appointing Authority, where there is no provision for holding epartmental Promotion Committee.**

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* Circular Order issued vide Deptt. of Personnel (A-Group II) dated 4th January, 1977.

3. In such a case the Government servant's suitability for promotion should be assessed by the Departmental Promotion Commitee or by the Appointing Authority, as the case may be, and a finding reached whether if the officer had not been suspended, he would have been recommended/selected for promotion The Departmental Promotion Committee or the Appointing Authority, as the case may be, should also take a view as to what the Government servant's position in the list of selected persons (Select List) would have been but for his suspension.

4 The findings as to the suitability and the place in the select list of the Government servant should be recorded separately and attached to the proceedings of the Departmental Promotion Committee in a sealed envelope superscribed 'Findings regarding suitability for promotion on the basis of merit/seniority-cum-merit in (Service/Grade/Post) in respect of Shri (Name of the Officer') "and' not to be opened till after the termination of the suspension of Shri (Name of the Officer) ? The proceedings of the Departmental Promotion Committee need only contain the note "The findings are contained in the attached sealed envelope " Similarly, where there is no provision for holding a Departmental Promotion Committee, the Appointing Authority will record a separate note and observe the procedure given above The vacancy that could have gone to the Government servant but for his suspensi ... on an officiating basis by the next person in the select list ... ment servant concerned is completely exonerated and ... should be promoted to the post filled ... made previously being reversed Wher ...

ceases to exist before his re-inst ... vacancy that may be available in ... not exonerated, the Department ... Authority, as the case may be, shall reconsider the case ... findings of the disciplinary proceedings and the decion taken thereon

**Procedure to be followed in cases where a Government servent is not under suspension when promotions are considered b...**

5 Where promotions are to be made on the recommendations of ... Departmental Promotion Committee ordinarily the sealed cover procedure as given in paras 3 and 4 should be followed In exceptional cases where the Departmental Promotion C...

... for his pro... basis Similarly where ... ally on the basis of the recommendation made by the Departmental Promotion Comittee and where the said Government servant on conclusion of the disciplinary proceedings has been exonerated he shall be promoted on a regular basis In respect of a Govern... ...hose case the sealed cover procedure has been followed or

who has been promoted provisionally on the basis of the recommendation made by the Departmental Promotion Committee and who upon conclusion of the disciplinary proceedings has not been exonerated, his case should be reconsidered [illegible] deci-sion [illegible] The Co[illegible] overn-ment servant promotion or otherwise

6 Where promotions are to be made without reference to a Departmental Promotion Committee i e by the Appointing Authority concerned, the procedure outlined in para 5 shall be followed mutas is mutandis

**Procedure to be followed in respect of a Government servant against whom proceedings under rule 17 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 are pending or are about to be initiated :**

7. Where promotions are to be made on the recomendations of a Departmental Promotion Committee, the Committee shall ordinarily recommend provisional promotion of the Government servant concerned until the next meeting of the Departmental Promotion Committee In exceptional cases where the Departmental Promotion Committee is of the view that Instead of recommending provisional promotion, the sealed cover procedure should be followed the Committee may follow the sealed cover procedure In either case where the disciplinary proceedings result in non-exoneration of the Government servant the Departmental Promotion Committee reconsider the case in the light of the decision taken by the disciplinary authority in the disciplinary proceed-ings and make suitable recommendations regarding the Government servants promotion or otherwise Where the Government servant, upon conclusion of the disciplinary proceedings, stands exonerated his promotion shall be ordered on a regular basis

8 Where promotions are to be made without reference to a Departmental Promotion Committee i e by the Appointing Authority concerned, the procedure outlined in para 7 shall be followed **mutatis mutandis**

9. Where a Government servant is neither under suspension nor disciplinary proceedings are pending against him but against whom Court proceenings involving moral turpitude are pending or are to be initiated the sealed cover procedure should be followed by the Departmental Promotion Committee or by the Appointing Authority concerned, as the case may be.

*10 Where in the case of a Government servent, the sealed cover procedure as given in para 3 and 4 has been followed for selection by promotion from the post on which he was regularly appointed, to the next higher post and who by virtue of his seniority becomes eligible for promotion to the second next higher post but the Departmental [illegible]

[illegible]

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*Rule 10 added after rule 9, vide Deptt. of Personnel circular order No F. 10(I) DOP/A-II/75 dt. 14th Dec, 1980

made by the Departmental Promotion Committee, and who upon conclusion of the disciplinary proceenings has not been exonerated, his case should be re considered again by the Departmental Promotion Committee in the light of the decision taken by the Disciplinary Authority in the disciplinary proceedings "The Committee shall then make suitable recomendations regarding the Government servant for promotion or otherwise."

**Persons not selected by the Departmental Promotion Committee without taking into account the Departmental Enquiry pending against them :—**

11. In case the Departmental Promotion Committee without taking into account the Departmental Enquiry pending against a Government servant does not select him for promotion, it will record his non-selection accordingly In such an event, the Government servant shall be considered of having been not selected and will not be entitled for a review by the Departmental Promotion Committee even if he is honourably exonerated

**Counting of period under suspension provisional promotion or non-exoneration pending Departmental Enquiry for further promotions.**

12. In case where for pror
period of service is prescribed, as a
ment servant concerned could not
was ultimately found to be wholly
Government servant junior to the suspended officer concerned was promoted to the higher grade sould be reckoned towards the minimum period of service for the purpose of determining his eligibility for promotion to the higher grade

13. As previously decided, the Pay of such category of Government servents should, on promotion, be fixed by allowing the intervening period during which the suspended officer could not be promoted due to his suspension, to be counted for increments in the higher grade but no arrears would be admissible

14. These concessions will also be admissible to those Government servents who though not under suspension could not be promoted to the higher grade on account of their being implicated in departmental proceedings or on account of their conduct being under investigation, and who were subsequently completely expenerated

15 These instructions will take effect from the date of issue but the persons already promoted provisionally in pursuaece of this Department circular dated 4 12 75 shall continue on the promoted posts provisionally subject to review by the next Departmental Promotion Committee on conclusion of the disciplinary proceedings in accordance with these Instructions

d various Service Rules
confirmed on occurrence
iod stated thereunder, vide
II)74 date 28 12 1974
against whom disciplinary

# Instructions relating to the drawal and submission of Annual Performance Appraisal Reports on Govt. Servants.

## GOVERNMENT OF RAJASTHAN
## DEPARTMENT OF PERSONNEL
## (A C R CELL)

No F 14(29) Karmik/ACR/73 Jaipur Dated March 30 1976

## CIRCULAR

**Subject** :—Annual Performance Appraisal of Government Servants

Attention is invited to this department s Circular No D 2416/59/F 20 (9) Apptt A/57, dated the 28th July 1959 vide which detailed instructions relating to the drawal and submission of Annual Confidential Reports on Government servants were issued and to the subsequent amendments made thereto from time to time

It has now been decided to replace the existing system by a new system called the Annual Performance Appraisal This shall be applicable for the year 1975-76 on wards and the instructions relating to the new system of drawal of Annual Performance Appraisal reports shall be as enclosed These new instructions shall be deemed to be effective in respect of the report to be drawn for the year 1975-76 and onwards.

The previous instructions relating to the Drawal of annual Confidential Reports of Government Servants shall be applicable in respect of Annual Confidential Reports drawn/to be drawn up for the reporting year 1974-75 Similarly the Annual Confidential Report forms prescribed under the previous instructions shall be used for drawing up Annual Confidential Reports for the reporting year 1974-75 and earlier

It [illegible]

[illegible] ntries in Annual Confidential Reports prior to that the earlier procedure will ontinue to be followed

**Instructions regarding the Annual Performance Appraisal of all mployees holding posts in State/Subordinate/Ministerial and Class IV ervices**

## PART-I

### 1 Object

The aim of the Annual Performance Appraisal is to make an objective assessment of the performance of an employee

### 2 Importance of Annual Performance Appraisal

Since Government have accepted the principle that confirmation crossing of efficiency bar promotion grant of pensionary benefits etc should be based on the assessment of the Annual Performance Appraisal this matter is of greatest importance for the efficiency and the morale of the service. It is in the interest of Government not less than that of the employees that the value of a proper system of Performance Appraisal is recognised by all concerned

### 3 Applicability

The system of the Annual Performance Appraisal will be applicable to all the employees of the State Government belonging to the State Subordinate/

Ministerial/Class IV Services excluding those borne on the RJS/RHJS cadre and those working in the Rajasthan Public Service Commission, the Rajasthan Lagislative Aasembly Secretariat and the Rajasthan Lokayukta Sachivalaya This will not also be applicable to officers or the All India Services, and such persons who have been given the status of a Minister, or have been appointed on an honorary or part-time basis.

## राजस्थान सरकार का निर्णय

विपय—चतुर्थ श्रेणी कर्मचारीो हेतु वार्षिक कार्य मूल्याकन प्रणाली

इस विभाग के समसख्यक परिपत्र दिनाक 30-3-76 द्वारा प्रसारित वार्षिक कार्य मूल्याकन निदेशावली के अनुच्छेद 3 "एप्लाकेबिलिटो" के द्वारा वार्षिक काय मूल्याकन प्रणाली को राज्य सरकार के चतुर्थ श्रेणी कर्मचारियो के लिये भी लागु किया गया था अब वह निर्णय लिया गया है कि यह वार्षिक कार्य मूल्याकन प्रणाली राज्य सरकार के चतुर्थ श्रेणी कर्मचारियो के लिये समाप्त कर दी जावे।

यह भी निर्णय लिया गया है कि राजस्थान सिविल सेवा (सी.सी.ए) नियमो के अन्तर्गत दिये गये दण्ड, लिखित मे दी गई चेतावनी तथा कर्मचारी को सूचित की गई प्रशसाओ की प्रविष्टी उसके सर्विस रोल मे कर दी जावे।

### 4. Responsibility for drawal of the Annual Performance Appraisal Reports

It must be ensured that the Annual Performance Appraisal reports are properly and timely drawn up in respect of all employees including those who are on deputation to other departments, Central/State Governments or are on foreign service—

[illegible] State Serv[illegible] where Government is the Appointing [illegible] the reports shall be that of the Admi- [illegible]

(ii) In the case of Subordinate/Ministerial and Class IV services, the reponsibility shall be that of the Appointing Authority concerned.

### 5. Custody of the reports

The reports on employees belonging to the State Services whose Appointing Authority is the State Government shall be kept in the Department of Personnel (ACR Group) The reports in respect of all other employees shall be kept by the Appointing Authorities concerned

### 6 Forms of Annual Performance Appraisal for Various Categories of Government Servants

[illegible] the vari- [illegible]

for each of these categories a separate form has been prescribed as under

| S No | Category | Name of the form | |
|---|---|---|---|
| 1 | Top Executive Level (Pay Scales 32 33) | P A 1 | G A 38 I |
| 2 | Senior Executive Level (Pay Scales 18 31) | P A 2 | G A 38-II |
| 3 | Junior Executive Level (Pay Scales 10 17) | P A 3 | G A 38 III |
| 4 | Section Officers and Superintendents (Pay Scales 13 15 & 17) | P B 1 | G A 39 I |
| 5 | Assistant/UDC/LDCs etc (Pay Scales 7 9 10 12 B 14) | P B 2 | G A 39 II |
| 6 | Stenographers and Personal Assistants (Pay Scales 11 12 13 & 15) | P B 3 | G A 36-III |
| 7 | For other Officials (Pay Scales 4-9) | P C 1 | G A 40-I |
| 8 | For other Officials (Pay Scales 3) | P C 2 | G A 40-II |

**7 Salient Features of the Forms**

(a) The salient features are—

(i) Appraisal of performance by the officer reported upon (except in the case of those in pay scales 1 to 3) (ii) Assessment of the personality and performance of the officer reported upon

(b) Standard definitions have been given to

(i) various factors of assessment e g drive and leadership , judgment ability to communicate and (ii) scales of assessment viz Outstanding Above Average Average and Below Average

(c) The '
boxes or brackets
in any one of the t .
they are expressly required to do so

**8 Procedure for Filling up the Column Relating to Integrity**

(i) The procedure for filling up the column relating to integrity is a follows —

(a) Supervisory officers should maintain a confidential d ary in whic instances which creates suspicion about the integrity of a subordinate shoul be noted from time to time and action to verify the truth of such suspicion should be taken expeditiously by making confidential enquiries departmentall by referring the matter to the Anti Corruption Department At the time o cord ng the annual performance appraisal th s diary should be consulted an ie material in it utilised for filling the column about integrity

(ii) Specific mention should be made in the reports on officer rorking in or hold ng charge of Top Secret/Secret Sections about their trust rorthiness especially in matters effecting departmental security

**I Procedure for Drawal of reports on Government Servant leputed to attend approved courses of study or training**

In respect of officers who have undergone any training or at approve nst tution in India or abroad the following procedure should be adopted —

(i) Whenever an officer attends an approved course of study or tra nin the fact of his having done so should be entered in his Annual Performanc Appraisal

(ii) The report if any received from the Head of the Institution shoul e ther be placed in original in the dossier of the officer or the substance of entered therein

**10 Procedure in respect of Government Servants granted study leav kept under A P O or placed under suspension for over three months**

It shall be the responsib lity of every Appointing Authority to draw u a l st of officers as on 31st March every year who have been granted study leav

kept under awaiting posting orders or placed under suspension for a period of over three months and to draw a special note for each Government servant separately indicating the period during which he was not on active duty mentioning the reasons for placing the same on the Performance Appraisal for record and reference.

In respect of Officers of State Service such a note will be sent by the Head of Department to the Department of personnel through the Administrative Departments

**11. Periodicity and preparation of the Annual Performance Appraisal**

°(i) The Annual Performance Appraisal in respect of all the Government Servants would be drawn for the period covered by the financial year except in case of the employees belonging to the Co operative Department and teaching staff in Education Department in whose case the reporting year shall be from Ist July to 30th June and that the appraisal reports on the employees of these Departments for the year 1975-76 shall be from Ist April 1975 to 30th Jnne 1976 whereafter the reports will be from Ist July to 30 June every year The reporting year in respect of offi ers and staff belonging to other Services Department and deputed/posted in these two Departments would be from Ist April to 31st March every year

(ii) No Annual Performance Appraisal shall be drawn up unless the employee reported upon has worked under a Reporting Officer for a period of at least three months during the year under report

(iii) Subject to (ii) above two or more independent reports may be written for the same year by different reporting officers in the event of a change in reporting officer during the course of the year In such cases each report should indicate precisely the period to which it relates and the report for the earlier part or parts of the year should be written at the time of transfer or immediately thereafter and not deferred till the end of the year The responsibility for obtaining the reports in such cases would be that of the Head of the Department/Office/Administrative Secretary as the case may be

(iv) The reports should be in ink/ball pen or may be typed by the reporting/reviewing officer himself where it is a typed report the reporting/reviewing Officer must record a certifcate in his own hand to the effect that the report has been typed out by himself

(v) Where an employee has tendered evidence against his immediate superior, the report of such an employee shall be drawn by the next superior officer

**12 Levels of Assessment**

(a) The assessment of an employee will generally be made at two levels (I) Immediate superior officer will be the reporting officer and (ii) the

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°Substituted vide circular No F 14(29) Karmik/ACR/73 Dated 13 8 76 for —

The Annual Performance Appraisal in respect of all the Government Servants would be drawn for the period covered by the financial year except in case of the employees belonging to the Co operative and Education Department in whose case the reporting year shall be from Ist July to 30th June and that the appraisal reports on the employees of these Departments for the year 1975-76 shall be from Ist April 1975 to 30th June 1976 whereafter the reports will be from Ist July to 30th June every year

Substituted vide circular No.F 14(29) Karmik/ACR/73 dated 22-6 76 for —

(i) The Annual Performance Appraisal in respect of all the Government Servants would be drawn for the period covered by the financial year

xt higher officer (in the hierarchy) of the reporting officer will be the review officer Where however higher officers are in the know of facts and where ey feel they should make some comments regarding the assessment of the icer reported upon they may record their own observations

(b) (i) The reporting/reviewing officer in respect of each category of st in the subordinate/ministerial Services will be as approved by the respect- Heads of Department

(ii) In respect of officers of the State Services the reporting/reviewing ficers will be as approved by the Government in the Administrative Departm- t concerned

3 Responsibility of the Government Servants

°It shall be the responsibility of each employee belonging to the State/ ubordinate/Ministerial Services to furnish the Annual Performance Appraisal rm to his immediate superior officer(s) immediately after completing Part I ereof, according to the prescribed period as specified in the calender(Annex- e A)

£ Provided that the time schedule for the various stages of Performance ppraisal in respect of the employees of Cooperative Department sha l stand dvanced by three months and the time schedule in respect of the teaching staff f the Education Department shall be as specified in the separate calender nnexure AA

1GOVERNMENT OF RAJASTHAN S INSTRUCTIONS

Attention is invited to para 13 of the instructions regarding the drawal nd submission of Annual Performance Appraisal reports which places respon-

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Substituted vide circular No F 14 (29) Karmik/ACR/73 Dated 13-8-76, for —

It shall be the responsibility of each employee belonging to the State/ ubordinate/Minsterial Services to furnish the Annual Performance Appraisal orm to his immediate superior officer(s) immediately after completing PartI hereof according to the presc ibed period as specified in calendar (Annexure A) provided that the time schedule for the various stages of Performance Appraisal in respect of the employees of the Co operative and Education Department shall stand advanced by three months He would ensure that no columns of Part I of the form are left blank or vaguely written Complete details hould invariabily be given where necessary'

£ Substituted vide circular F 14(29) Karmik/ACR/73, Dated 22-6-76, or —

It shall be the responsibility of each employee belonging to the State/ subo-rdinate/Ministerial servires to furnish the Annual Performance Appraisal o m to his immediate superior officer(s) immediately after completing Part I hereof according to the prescribed period as specified in the calendar (Annexure A) He would ensure that no column of Part-I of the form a e left blank or vaguely written Complete details should invariably be given where necessary

For — 1Substituted vide Circular No F14(29) Karmik/ACR/73 Dated 22 1-77,

Provided that the time schedule for the various stages of Performance Appraisal in respect of the employees of the Co operative Department and teaching staff of the Education Department shall stand advanced by three mon ths He would ensure that no columns of Part I of the form are left blank or vaguely written Complete details should invariably be given where necessary

(Substituted vide Circular No F14 (29) Karmik/ACR/73 Dated 13 8 76, Subst tuted Vide Circular No, F14(19) Karmik/ACR/73 Dated 25 9 76 )

sibility on each employee belonging to the State/Subordinate/Ministeria Services to furnish the Annual Performance Appraisal form to his immediate superior officer(s) immediately after completing part I thereof according to the prescribed period as specified in the calendar

It has been observed that some of the employees have appended number of sheets detailin ... ts and certificates while submitting the rep ... forms bulky but also increases the size of ...

The matter has been considered and it has been decided that the self appraisal to be appended to the from should be contained only in two foolscap pages maximum in single space (or equivalent if hand written)

It is therefore enjoined on all the employees concerned to ensure that these appraisals to be appended to the forms should not exceed two foolscap sheets in any case in future

## 14. Responsibility of the Reporting Officer.

(i) It shall be the duty of the reporting officer to carefully consider the norms prescribed and/or the duties demanded from the reportee before recording his opinion He should not form hasty opinions or arrive at conclusions based on insufficient data much less on hearsay

(ii) He should not only make an objective assessment of his subordinates' work and qualities but also give to his subordinates at all times the necessary advice guidance and assistance to correct their faults He should indicate, either verbally or in writing, the defects which have persisted despite his efforts to have them corrected Adverse remarks shall be recorded in the Annual Performance App aisal only when the reportee persistently fails to show improvement

(iii) While mentioning any faults/defects the reporting officer must also give an indication to the efforts at reform made by him by way of guidance, admonition etc and the result of such efforts,

(iv) While filling up the column on over all assessment, the reporting officer must record the overall grading/specific categorisation of the employee i.e ' Outstanding ' ' Above Average ' Average ' and ' Below Average .

## 15. Responsibilities of the reviewing Officer

(i) While it might be difficult for the higher officer to get to know a large number of employees two grades below him, his overall assessment of the character, performance and ability of the reported officer is vitally necessary as a built in corrective The judgement of the immediate superior, even though completely fair in its intent might some times be too narrow and subjective to do justice to the employee reported upon The officer superior to the reporting officer should, therefore consider it his duty to personally know and form his own judgement of the work and conduct of the officer reported upon He ... on the remarks ... the form of the ... his agreement or ... y in regard to ... shall be construed as the correct assessment

(ii) Where the reporting officer has recorded adverse entries, the reviewing officer may discuss with reporting officer such adverse entries, and

(a) May countersign the report including the adverse entries or

(b) Modify or expunge the adverse entries

## 16 Communication of adverse remarks

(i) All adverse entries in the Annual Performance Appraisal, including the substance of the entire report including what may have been said in praise

of the Government servant should be communicated to the Government servant concerned Observations requiring improvements in job performance and indicating need for training will not constitute adverse remarks, but shall be communicated to the employee reported upon for his guidance

(ii) In case where the reviewing officer agree with the adverse entries recorded by the reporting officer, or records adverse entries himself, he shall convey the same to the employee giving him an opportunity to make a representation to him (the reviewing officer) within 15 days of the receipt of the communication The communication should be in writing and a note to that effect shou'd be recorded on the report The delivery of the communication should be ensured by sending it either by Registered post or through messenger, as the case may be

(iii) Where there is no reviewing officer, the adverse entry will be communicated by the reporting officer like-wise.

(iv) The reporting/reviewing officer may, at his discretion, entertain a representation made beyond the time specified in (ii) above if there is a satisfactory explanation for the delay But in no case this time will exceed one month

(v)The reporting/reviewing officer may again consider the adverse entry in the light of the representation made and may either take action to expunge the entry modify it or concur with the adverse entry A decision to this effect should be taken immediately and the annual Performance Appraisal forwarded to the next higher authority

(vi) If the reporting/reviewing officer, on consideration of the representation, sustains an adverse entry he should intimate this to the employee and advise him to make further representation, if any, through the reviewing officer to the Special Secretary to Government, Department of Personnel, where the employee belongs to a State Service and to the Head of the Department concerned where the employee belongs to a service other than a State Service within 15 days after the employee has been apprised of the decision, of the reporting/reviewing officer vide item(v)above Decision on the representation shall be recorded in the Annual Performance Appraisal by the reviewing officer

(vii) The reporting/reviewing officer upon receipt of the second representation or on the expiry of the period of representation shall forward the Annual Perfor3ance Appraisal with such representation, if any, and his comments thereon to the Special Secretary Personnel in respect of officers of State services In the case of subordinate, Ministerial and Class IV services, the reco d will be sent by the reporting/reviewing officer to the Head of the Depa tment

(viii) Where the adverse entry is recorded by an authority to whom the report is sent for informational purposes it will be communicated to the employee concerned by the Special Secretary, Personnel/Head of the Department

*(ix) Where the Reviewing/Reporting officer has either left service, retired or expired or is under suspension action to communicate the remarks and processing of the representation will be taken by the Appointing Authority concerned

***Instructions**

At ention is invited to para 16 of Part I of the Instructions relating to the d awal and submission of Annual Perfo mance Reports which places

* Inse ted vide Circular No 14(29) Karmik/ACR/73, Dated 30-10-76.

responsibility on the Reviewing Officer to convey the adverse remarks to the Government Servant *reported upon and to decide* the representation and then pass on the Annual Performance Appraisal report alongwith the relevant record to the office of deposit

In order that the office of deposit is kept Informed about such repo ts being processed, it is enjoined on all the Reviewing Officers or where there is no Reviewing officer the reporting officers that copies of communications conveying the adverse remarks to the Government Servant and/or a decision on the representation of the Government servant should invariably be endorsed to the Appointing Authority (in case of State Service officers to the Special *Secretary to Government*, Department of Personnel) who will keep these copies temporarily in the Annual Performance Appraisal reports dossier of the Government Servant concerned for informational purposes till the report in question *is finally received there*

***स्पष्टीकरण**

राज्य सरकार के ध्यान मे आया कि कई कर्मचारियों के गोपनीय प्रतिवेदना मे आकित प्रतिकूल प्रविष्टयो को सम्बन्धित कर्मचारी को अवगत नही कराया जाता। कर्मचारी को प्रतिकूल प्रविष्टियों के विरुद्ध अपना पक्ष प्रस्तुत करने का समुचित अवसर दिया जाना आवश्यक है। इस विषय पर गोपनीय प्रतिवेदनों सम्बन्धित आदेश स्पष्ट है जो सुविधा के लिए नीचे उद्धत किये जाते है :—

**कार्मिक क गोपनीय प्रकोष्ठ विभाग के परिपत्र सख्या प 14(29) कार्मिक क-1/ गोपनीय प्रकोष्ठ/73 दिनाक 30-3-76 द्वारा प्रसारित वार्षिक कार्य मूल्याकन सम्बन्धी निर्देश भाग-1 अनुच्छेद 16**

'All adverse entries in the *Annual Performance Appraisal* including the substance of the entire report including what may have been said in praise of the Government Servant, should be communicated to the Government Servant concerned Observations requiring improvements in job perfromance and indicating need for training will not constitute adverse remarks but shall be communicated to the employeer reported upon for his guidance'

विभागीय पदोन्नति समितियो तथा समयपूर्व सेवा निवृति हेतु स्क्रीनिंग समितियो का इस सम्बन्ध मे विशेष दायित्व है। उनके द्वारा कोई निर्णय लेने के पूर्व यह विशष रूप *से निश्चित कर लिया जाना चाहिये कि कर्मचारी को प्रतिकूल प्रविष्टियो से अवगत करा* दिया गया है।

अत सभी सम्बन्धित अधिकारियो को एतद्द्वारा अनुरोध किया जाता हैं कि इस सन्दर्भ मे अकित अनुदेशो का कडाई से पालन किया जावे और प्रतिकूल प्रविष्टियो की सूचना कर्मचारी को निर्धारित समय पर दी जावे। राज्य सरकार इस प्रकिया को बहुत महत्व देती है और यदि भविष्य मे इसके उल्लघन के मामले सामने आये तो इनका सम्पूर्ण उत्तरदायित्व सम्बन्धित नियुक्ति अधिकारी का होगा।

**17 Appeal Committee to consider representations against adverse remarks**

The representations against final adverse remarks will be decided by the Appeal Committees specified below—

*परिपत्र स. ५फ 14(29) कार्मिक/क-1/गो. प्र /73, दिनाक 16-7-77.

(a) For Officers of State Services—

Other than Head of the Department the Committee shall consist of—

| | | |
|---|---|---|
| (i) | Special Secretary Personnel | Convenor |
| (ii) | Administrative Secretary | Member |
| (iii) | One other Secretary to be nominated by the Secretary | Member |

**Note** —If the Administrative Secretary is either the Reporting or Reviewing Officer the Chief Secretary will nominate another Secretary

(b) For Secretaries and Heads of Departments—(other than IAS Officers) Chief Minister Cabinet Sub Committee will function as Appeal Committee

(c) 1 For Subordinate Services where Head of Department is the Appointing Authority—

(i) The administrative Secretary or his nominee not below the rank of a Deputy Secretary to Government

(ii) Head of the Department Convenor

(iii) The additional or Deputy Head of the Department

(2) For Surbordinate Services where Appointing Authority is other than Head of the Department

[1](1) Head of Department

[1](2) One Senior Officer to be nominated by the Head of the Department

[1](3) Appointing authority.

(d) For Ministerial Services

Three senior officers to be nominated by the Head of the Department The Appointing Authority shall be the Convenor

The Appeal Committees shall meet within 1 month following the receipt of appeals from the officers reported upon All decisions of the Appeal Committee will be communicated to the officer making the appeal The committee s decision will stand as final It may either sustain the adverse entry, or modify it or expunge it Decision in this behalf shall be recorded on the Annual Performances Appraisal by the Convenor

18 Training

All Reviewing Officers shall communicate to the Director, Harish Chanda Mathur State Institute of Public Administration observations made in the various Annual Performance Appraisal reports regarding improvement and training needs of the officers reported upon The Director shall frame training programmes keeping in view the information received by him from the reviewing officers

## PART-II

1 Register to watch receipt of reports

A control register to watch the timely receipt of the Annual Performance Appraisal shall be maintained by all reporting authorities in the prescribed proforma (Annexure B).

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1 Substituted vide DOP & AR Circular No F 13(48) Karmik/K I/CR/77 dated 22-1-1979 for—

"Appointing Authority and two Senior Officers to be nominated by the Appointing Authority The Appointing Authority shall be the Convenor."

| 1 | 2 | 3 |
|---|---|---|
| 6 | Representation against the adverse entries by Government servant reported upon | 30th June |
| 7. | Decision by the Reviewing Officer on the adverse entries after obtaining the *comments of* the Reporting Officer | 31st July |
| 8. | Reviewing Officer forwarding the Performance Appraisal to the office of record if he has expunged them, and intimation to the officer concerned | 5th August |
| 9. | In case the Reviewing Officer has decided not to expunge the adverse entries intimation to be given by him to the officer reported upon to make further representation (if he desires) to Special Secretary Personnel/Head of the Department through him | 5th Augus |
| 10 | Submission of the representation by the Government servant reported upon against the adverse entries to the Appeal Committee through the Reviewing Officer | 25th August |
| 11. | Forwarding of the entire record with his comments by the Reviewing Officer/Authority to Special Secretary Personnel/Head of the Department | 30th August |
| 12 | Final decision by the Appeal Committee and communication of the decision to all concerned | 30th September |

## ANNEXURE "AA"

### Time Schedule for the Various Stages of Performance Appraisal in Respect of the Teaching Staff of the Education Department

| S No | Operation/Activity | Last date by which the task to be completed |
|---|---|---|
| 1 | 2 | 3 |
| 1. | Submission of the P Form by the Government Servant concerned | 15th August |
| 2 | Writing of Performance Appraisal by the Reporting Officer | 15th September |
| 3 | Submission of the Performance Appraisal by the Reporting Officer to the Reviewing Officer | 20th September |
| 4, | Comments on the report by the Reviewing Officer and sending the Annual peformance Appraisal to the office of record (i) in case where no adverse entries have been made and (ii) if made then they have been expunged by the Reviewing officer | 20th October |
| 5 | In case where the Reviewing Officer has not suo moto expunged the adverse entries they are to be intimated to the officer reported upon by the Reviewing Officer | 20th October |

| | | |
|---|---|---|
| 6 | Representation against the adverse entries by Government servent reperted upon | 31st October |
| 7 | Decision by the Reviewing Officer on the adverse entries after obtaining the comments of the Reporting Officer | 30th November |
| 8 | Reviewing Officer forwarding the performance Appraisal to the office of record if he has expunged them and intimation to the officer concerned | 7th Dec |
| 9 | In case the Reviewing Officer has decided not to expunge the adverse entries intimation to be given by him to the officer reperted upon to make a further representation (if he desires) to Special Secretary Personnel/Head of the Department through him | 10th Dec |
| 10 | Submission of the representation by the Govt servant reported upon against the adverse entries to the Appeal Committee through the Reviewing Officer | 25th Dec. |
| 11 | Forwarding the entire record with his comments by the reviewing Officer/Authority to Special Secretary Personnel /Head of the Department | 31st Dec |
| 12 | Final decision by the Appeal Committee and communication of his decision to all concerned | 31st Jan |

## ANNEXURE 'B'

Proforma for Register to watch the receipt and record of Annual Performance Appraisal reports

| No | Name of the Government Servant | Designation | Due date of receipt | Date of receipt |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

| ame and designation f the officer to hom sent | Due date of sending | Date on which actually sent | Number and date vide which sent | Remarks |
|---|---|---|---|---|
| 6 | 7 | 8 | 9 | 10 |

## ANNEXURE 'C'

| | | | |
|---|---|---|---|
| 1 | Community Development & Panchayat Department | 12 | Social Welfare Department |
| 2. | Education Department | 13 | Colonisation Department |
| 3 | Medical & Health including Ayurved Department | 14 | |
| | | 15 | |

4 Agriculture Department
5 Animal Husbandry Department
6 Sheep & Wool Department
7 Dairy Department
8 Public Health Engineering Department
9 Pub ic Works Department
10 Irrigation Department
11 Local Self Government Department Municipal Commissioner Administrators & Secretaries of Local Bodies
16 *Industries Department*
17 Public Relations Department
18 Mines Department.
19 Stat stics Department
20 Tourism
21 Labour Department
22 Employment Department

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**Subject** —Instructions regarding the Annual Performance Appraisal *of Government Servants*

Attention is invited to this Department circular No F 14(29) Karmk/ACR/73 dated 30 3-1976 vide which detailed instructions relating to the drawal and submission of Annual Performance Appraisal of Government servants were *issued A P A reports for the year 1977-78 will soon be due As a result of* instances which have come to the notice of this department the following clarifications/guide lines are hereby given

**1 Part I Para 7—Salient features of the Forms**—The name of the reportee officer the serv ce to which he be ongs and the year to which the assessment relates must be written ard also initialled by the Reporting Officer *on the top of each sheet of the APA form*

It has been laid down in this paragraph that the Reporting reviewing *officers should only tick mark (v) in any one of the boxes b ackets and should* not write any thing except where they are expressly required to do so They *should however* initial the entry made by them Further whenever the box bracket ind cating below average/adverse opinion is ticked reference to incidence justifying it should also be recorded near the box/bracket

**2 Part I Para 12 Levels of Assessment**—A question has been *ra sed as to who will review* the APA where there are two or more reviewing officers in the course of the same repo ting year each for a period of more than 3 months

The matter has been considered and it has been decided that the APA will be reviewed by the officer who remained on the post of reviewing officer in the latter part of the year under report provided he has seen the work of the *reportee officer* for not less than 3 months In case otherwise the report will be reviewed by the predecessor in office who has seen the work for a period of more than 3 months

**3 Part I-Para 12-Responsibility of the Government Servant**—Furnishing of information required under various provisions of the Rajasthan Civil Services (Conduct) Rules 1971

It has been observed that annexure A prescribed vide this department circular *No F 14(29) Karmik/ACR/73 dated 30 8 76* for furnishing details regarding property etc is not being appended with APA by the reportee officer *and the APAs* are forwarded to the Department of Personnel without it It is clarified that in future APAs received without the annexure will not be entertained by the Department of Personnel and will be returned to the Reporting Officers

**4 Part I-Para 14 Responsibility of the Reporting Officer**—It has been observed that personal likes and dislikes of the Reporting *Officer* are at times reflected in the assessment It is enjoined upon all the reporting officers that their *opinion be recorded with a judicious unprejudiced and unbiased mind* and no personal considerations should intervene while drawing up APA reports.

Several cases have also been observed where column 14 of Part I of the APA form was either left blank or not filled up properly and there is no indication as to whether the information given by the officer under column 12 is correct or not In some cases while the performance was shown no targets were indicated It is enjoined upon all concerned to strictly follow the instructions in this behalf

5 **Part I Para 16-Communication of Adverse Remarks**—It has been laid down in sub para (i) that all adverse entries including the substance the entire report as well as what may have been said in praise of the Govern ment servant should be communicated to him It has, however, been observed that only adverse remarks are communicated It is stressed that while communicating adverse remarks the substance of the entire report including a gist of what may have been said in priase of the Government servants, should invariably be communicated to him

While processing the appeals against the decision of the reviewing officer on representations against advarse entires recorded by the reporting/reviewing officers forwarded to this department in terms of sub para (vii) it has been observed that the cases are forwarded to this department incomplete causing avoidable delay in making correspondance for complet ng the same

It is therefore enjoined upon the reviewing officers that the case may be forwarded to this department duly completed in the following respects—

1 Copy of letter conveying the adverse remarks is enclosed

2 Representation of the officer to the reviewing officer is enclosed

3 Comments of the reporting/reviewing officers who have recorded the adverse remarks are given

4 Comments of the reviewing officer on the appeal of the officer made to the Special Secretary Personnel Department are given

5 A note has been made in the APA that the adverse entries has been conveyed to the reportee officer and the decision of the reviewing officer on the first representation has been recorded

6 **Remarks of the Reviewing Officer in the APA Form**—It has been observed that the idea behind this column is not being followed by the reviewing officers properly In a number of cases part (ii) of this column (not yet fit for promotion) is ticked even though there is nothing against the officer in the general assessment which may render him unfit for promotion One idea behind ticking this opinion may be that the officer is too junior to be (Yet)considered fit for promotion to the higher post

It is hereby clarified that this column deals with fitness for promotion in turn and tick in this column will be construed as adverse opinion to be conveyed by the reviewing officer to the reportee officer in terms of para 16(ii) It may be borne in mind that in case there is nothing adverse in the preceding report a tick in this column would be baseless and unjustified

[Circular No F 13(48)Karmik/ACR/77, Dated 13 1-78]

Attention is invited to this Department Circular No F 14(29) Kamik/ACR/73 dated 30th March 1976 laying down detailed instructions relating to the drawal and submission of Annual Performance Appraisal Reports of Government servants It has now been decided that adverse remarks in the Annual Performance Appraisal Reports for the reporting year 1977–78 and onwards will be conveyed and representations thereto processed by the Department of Personnel (ACR Cell) for State Service Officers and by the Appointing Authorities for Subordinate/Ministerial services as per practice which was in existence prior of the revision of the system in 1975-76

[Circular No. F 13(48) Karmik/ACR/77, Dated, 20-4-78]

**Subject**—*Instructions regarding drawal and submission of Annual Performance Appraisal Reports of Government Servants*

A question has been raised as to whether the Annual Performance Appraisal reports that could not be initiated reviewed or counter signed by the competent anthority before he has retired from Government Se vice could be get initiated reviewed or counter signed by him even after his retirement from Government Service

The matter has been considered and it has been decided that it shall not be competent for such authority to initiate review or countersign any such report

(a) Where the authority is a Government Servant after he retires from service, and

(b) in other cases after he demits office

A note to this effcet should be placed in the CR dossiers by the office of record, so that the period involved may be covered,

[Circular No F 13(48) Karmik/ACR/77, Dated 12 9 78]

विषय–वर्ष 1976–77 तकक बकाया गोपनीय प्रतिवेदनो को भरने के सम्बन्ध मे।

निर्देशानुसार निवेदन है कि दिनाक 3–8–78 को मुख्य सचिव के कक्ष में पुराने बकाया प्रतिवेदनो की पूर्ति के सम्बन्ध मे हुई बैठक मे जो निर्णय लिये गये थे उनके अनुसरण मे यदि सम्बन्धित अधिकारी ने मूल्याकन प्रपत्र के भाग I मे अपना कार्य विवरण भर कर नही दिया हो तो और प्रतीक्षा नही की जानी है और खाली प्रपत्र मे ही उनका प्रतिवेदन तैयार किया जाना है यह शिथिलन फिलहाल वर्ष 75–76 एव 76–77 हेतु स्वीकृत किया गया है और वर्ष 77–78 के प्रतिवेदन अधिकारी द्वारा फार्म भरने पर ही भरे जाने है।

[पत्र स 13(48) का /क /गो प्र /77, दिनाक 26–9–78]

**बकाया वार्षिक कार्य मूल्याकन प्रतिवेदन लिखे जाने के सम्बन्ध में**

बकाया वार्षिक कार्य मूल्याकन लिखे जाने की दृष्टि से इस विभाग द्वारा मुख्य अभियन्ता सार्वजनिक निर्माण (भवन एव पथ) विभाग को लिखे गये *समसख्यक पत्र दिनाक 26-9-78* द्वारा (जिसकी प्रतिलिपि समस्त शासन सचिवो एव विभागाध्यक्षो को प्रेषित की गई थी) *वार्षिक कार्य मूल्याकन प्रतिवेदन* निदेशावली के शिथिलन मे यह व्यवस्था की गई थी कि यदि सम्बन्धित अधिकारी ने मूल्याकन प्रपत्र के भाग 1 मे *अपना कार्य* विवरण भर कर नही दिया हो तो और प्रतीक्षा नही की जावे और खाली *प्रपत्र मे ही* प्रतिवेदन अधिकारी द्वारा प्रतिवेदन लिख दिया जावे। उस समय यह शिथिलन *वर्ष 1975–76 एव 1976–77* हेतु ही स्वीकृत किया गया था और यह आशा की गई थी कि भविष्य मे सम्बन्धित अधिकारी समय पर प्रपत्र भाग–1 भरकर प्रतिवेदन अधिकारी को दे दगे।

किन्तु इस विभाग को ऐसी जानकारी मिली है कि आगे के वर्षो के भी काफी प्रतिवेदन इसी कारण से नही लिखे जा सके हैं। अत. उपरोक्त शिथिलन मे वर्ष 1977–78 एव 78–79 के प्रतिवेदनो हेतु वृद्धि की जाती है।

[अ शा. टीप स० एफ 13(48) का०/क० 1/गो. प्र /77, दिनाक 4–3–80]

जनगणना आयोजन 1981—सम्बद्ध अधिकारियो/कर्मचारियो के वार्षिक कार्य प्रतिवेदनो मे विशिष्ट इन्द्राज।

इस विभाग के समसख्यक पत्र दिनाक *14–2–80* के क्रम मे लेख है कि उपरोक्त कार्य म लगाये गए सभी अधिकारियो/कर्मचारियो के वर्ष *1979–80* एव *1980-81* के

वार्षिक गोपनीय प्रतिवेदन लिखते समय उनके द्वारा इस क्षेत्र मे किए गए सराहनीय योगदान का उल्लेख किया जावे । इसी प्रकार यदि कोई व्यक्ति इस जनगणना से सम्बन्धित कार्य के सम्पादन मे असावधानी वर्तता है तो इसका भी उल्लेख उसके गोपनीय प्रतिवेदन मे किया जावे । इनके अलावा राज्य सरकार द्वारा यह भी निर्णय लिया गया है कि इस क्षेत्र मे उत्कृष्ट कार्यकर्ता को राष्ट्रपति की ओर से निदेशक, जनगणना विभाग द्वारा दिये गए पदक से सम्बन्धित प्रमाण-पत्र भी गोपनीय प्रतिवेदन पत्रावलियो मे लगाकर उनका भाग माना जावे ।

कृपया अपने अधीनस्थ सभी अधिकारियो/कर्मचारियो को इससे अवगत करा दे ।

[परिपत्र स एफ 13 (42) कार्मिक/क -/गो. प्र /80, दिनाक 9-2-81]

**Sub :—Control of Chief Electoral Officer over other election authorities in the State-Writing of Confidential Reports.**

The Chief Electoral Officer of the State is require to supervise the conduct of elections to Parliament and the State Legislature assisted by the following —

(i) District Election Officers,
(ii) Electoral Registration Officers,
(iii) Assistant Electoral Registration Officers;
(iv) Returning Officers, and
(v) Assistant Returning Officers.

All the abo[illegible] ıder the supervision and guidance of [illegible] enable the Chief Electoral Officer to [illegible] ıfficers the State Government has de- [illegible] done by an Officer in connection with [illegible] election called for a special commendation or where a bad work of an officer was required to be commented upon Chief Electoral Officer may forward his observations (after showing the same to the Election Commission) to the Chief Secretary or the authority concerned for placing the same in the Confidential Report of the Officer concerned

In regard to All India Service Officers, it has been decided that the Chief Electoral officer would furnish his reports to the Chief Secretary It would be for the Chief Secretary to decide whether these should, or should not form part of the confidential Reports The ultimate decision whether the reports of the Chief Electoral Officer in respect of All India Service Officers, should from part of the Confidential Report would however, rest with the Chief Secretary In case the reports of the Chief Electoral Officer are adverse and the decision by the Chief Secretary is for the same to be placed in the Confidential Report file of the Officer, the same procedure would be adopted about this report as applicable in respect of adverse remarks given in the Confidential reports

[ Order No F 6(13) Pers (AI)/79,-Pt II, Dated 11-2-81 ]

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# GOVERNMENT OF RAJASTHAN

## (Appointments (A-II) Department)

No. F. 1 (16) Apptts (A-II)/67 Jaipur. Dated : 12th June, 1972.

### Making of temporary/officiating appoinment on the senior posts to be filled in by promotion within the Service under the various Service Rules.

Rule under the caption "Emergent temporary appointments" of "Tamporary of officiating appointments" as existing in the Service Rules provide for appointment by promotion of an eligible Member of the Service to a Vacancy (temporary or Permanent within the Service by the concerned appointing authority for a period of one year without a reference to the Commission till the preparation of the first list or in case the list of approved candidates for making officiating appointments is exhausted Under this department Circular No F. 1(16)-Apptts (A-II) 67 dated 31-8-67 it was laid down that such temporary appointments should be made on the basis of seniority-cum-merit only

It has come to the notice of the Government that in the absence of clear guidance from the Government there is no uniformity in following the procedure in making such temporary appointments by the varicvs appointing authorities Some times the relevant rule of the Service Rules which enables [illegible] to make temporary/officiating appoint [illegible] word adhoc' is also used [illegible] in a lot of complications

Government have, therefore, decided that the following guide lines may be kept in view by the appointing authorities while making temporary/officiating appointments in the ordinary/junior scale posts which form the base in the service as well as to the senior posts within the service under the relevant rules, mentioned above, pending regular selection, as laid down in the relevant Rules.

(1) Officers under suspension and those who have been punished under the CCA Rules, during the last five years, should not be considered for such appointments

(2) Punishment awarded during the last five years should be counted against the year of incident.

(3) (i) Officers against whom departmental proceedings have been [illegible] CCA R[illegible] [illegible] looking [illegible]

(ii) In cases where only an enquiry has been proceeded with [illegible] Rules 17 of the CCA Rules, officiating/temporary appointment may be considered

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1. Circular issued vide Appointment Deptt. No F. 1(16) Apptts (A-II)/67 Dated 12 June 1972

(4) Officers whose certificate of integrity has been with held should not be considered

(5) Such appointments are not to be termed as 'adhoc' as there is no rules in the various service Rules which provide for making of adhoc appointment such appointment should be termed as officiating if the vacancy is permanent or temporery if it is temporary as the caption of the relevant rules indicates

(6) Such appointments are to be made only on the basis of seniority cum merit from amongest those whose Confidential Reports for the last five years are satisfactory

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## Sub :- Principles for determination of integrated seniority of Ministerial and Subordinate Service employees belonging to different cadres etc. under separate Appointing Authorities.

Under most of the existing Service Rules subject to certain general provisions seniority with in a class or Service or on a category of post in the same service is determined from the year/date of substantive appointment Difficulties and anomolies have arisen in interlacing seniority of officials particularly those belonging to the Ministerial and Subordinate Services of the same Class/Category under different Appointing Authorities if they are required to be amalgamated for the purpose of promotion etc and/or in case of transfer where permissible under the Rules from one Department/Office under an Appointing Authority to another Department/office under a different appointing Authority e g drawing an integrated seniority list of Ministerial staff under various Collectors for promotion to the post of office Superintendent under the control of the Revenue Board The basis and circumtances of conversion of temporary posts into permanent once in va ious units/districts/groups/cadres are different The opportunities of confirmation despite comparative length of service and merits of the employees are unequal e g employees in the Rajasthan Canal project and various Circles of R P S and various circles of P W D or Irrigation Departments staff working under different Collectors and staff engaged under non plan and plan Department In such cases if their services are required to be integrated and no specific rule exists the general rule of reckoning seniority with in a cadre from the year of substantive appointment leads to serious anomolies particulary when employees had been recuited promoted and confirmed in different groups or districts or circles or Departments and in varying circumstances by different Appointing Authorities Another serious example of anomoly is of the Panchayat Sami i employees who were transferred from the Government service, create an anomalous position if their seniority is determined according to their year of substantive appointment as compared to their seniors who remained in Govt service and were made substantive later on.

2 Strictly speaking the above mentioned general rule of year of substantive appointment is applicable with in a Service or cadre or to officials under the control of an Appoint ng Authority and there is at present no definite general rule or principle for determining integrated seniority of officials who belong to different services or cadres or under different Appointing Authorities

in case their common seniority is required to be drawn The matter has there fore been examined in consultation with the Rajasthan Public Services Com mission and in view of practice adopted by the Government of India and the State Government in similar circumstances it has been considered that except in any specific *service where any definite rule already* exists wherever inte grated seniority of two or more employees who do not belong to the same Services/Cadre/Group or Unit and whose substantive appointments were made by different Appointing Authorities is required to be determined for appointment promotion/confirmation etc to another service/cadre/group etc under another Appointing Authority it would be rational and epuitable if their seniority in such cases etc Is determined notwithstanding their of year substan tive appointment in the different cadres according to date of order of cont nuous officiating appointment in the class or category of post concerned or an equiva lent post provided such officiation was not fortutious or ad hoc or an urgent temporary appointment and there *was no default on the part of the employee* to join the appointment when ordered Equivalent post shall mean a post in the same cadre carrying similar scale duties and responsibilities and shall be determined by the authority determined by the seniority and in case these conditions are not fulfilled then by the Administrative Department in consuf tion with the Department of personnel The above principle shall be subject to the condition that any pre deremined inter-seniority with in & service or *circle or unit shall not be disturbed*

3 The above should be treated as a general guiding principle but in specific cases where any unforseen anomely arises due to the application of *above principle the same should be decided in consultation with this Depart* ment who would decide as may be equitable and fair and whose decision shall be final

*4 It may be clarified that the existing rule of seniority contained* in various Service Rules shall remain intact but only integrated senior ty in such cases as referred to above need be determined no according to year of sub stantive appointment but accord ng to date of order of f ciating appointment *in the grade* or an equivalent grade subject to the conditions mentioned above

5 Administrative Departments/Heads of Departments are requested *to examine* the Service Rule concerning them and to suggest suitable amend *ments to the* Rules wherever considered necessary If there is no problem or there are no cases as referred to above in a Service it will not be necessary to amend the rules concerned Action tor amending the *general Service Rules* w ll be taken by this Department

6 If no provision contary to the above principles exist in the *Serv ce Rules, pending formal* amendment to the Rules seniority may be determined as indicated in this Circular after consulting this Department

No F 1(10)Appts(A II)/72 Jaipur dated the 20 Nov 1973

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***No F6 (8) DOP/A II/73 Dated 21 11 1974***

**Sub —Adhoc Urgent/Temporary appointments and extension thereof Exercising checks thereon**

The question of establishing an appropriate Machinary at the Govern ment level to exercise effective checks on irregular *adhoc/urgent/temporary* appointments and extensions *thereof on Gazetted pos s within* the purview of R P S C Particularly in consequence of the stoppage of provisional payment of

salary to Gazetted Officers by the Accountant General, Rajasthan beyond 30th November 1975 and discontinuance of the irregularly called "Adhoc Appointments has been engaging attention of the Government for some time past For achievement of the objective in view it has therefore now been decided in consultation with the Finance Department, to establish in the Department of Personnel (A V) a cell to be called "Appointments Audit Cell" This cell shall control and exercise all possible checks on all urgent/temporary appointments to Gazetted posts within the purview of RPSC in the first instance so that the officers concerned have not to face avoidable hardship in the matter of receiving regular payment of salaries The Appointing Authorities concerned and cretaries to Co ... tments made by the Government ... shall be personally responsible

2 Under this scheme of check on possible irregular appointments ... continuance of urgent temporary appointments on posts beyond the general ... missible limit of one year without concurrence of RPSC standardised forms ... appointment orders (separately for regular and urgent temporary appointments) ... extension orders have been devised along with the requisite certificates ... State Service and Gazetted posts appointments to which are considered outside the purview of the RPSC or in special circumstances i e. due to stay orders by any Court of Law, prior clearance about such appointments being treated as such should be obtained from the Department of Personnel A ... n the form ... Appointing ... 1-12-1974 ... nts should ... osed) No ... endment in the prescribed form or special order shall be made without prior ... II). Action to standardise & get

... used

... n, and all Treasury officers are ... directed not to authorise salaries/Pass Pay Bills in respect of such Gazetted Officers whose appointment orders/extension orders are not issued on the prescribed forms or the prescribed certificates have not been appended Besides the usual certificates already printed on the body of Pay Bills of Gazetted Officers additional certificates as per part II of Annexure B' shall also be appended by the drawing officers themselves i e State Service and Gazetted Officers (other than all India Service Officers) while drawing their own pay

4 No first pay Bill of a Gazetted Officer except where the post does ... earance as stated above ... shall be passed by the ... strictly in the prescribed ... at the time of extension on such an urgent temporary appointment after one year or after expiry of the term agreed by the Department or the R P S C A copy of each of the appointment order and the certificates here in before prescribed should invariably be sent (under registered post, except in the case of local offices) on the ... Audit Cell of this Department als... words 'ASSISTANT SECRETARY, ... copy of the appointment or exten... also furnish to the Appointments A... certificate as mentioned in the Annexure (B) ... which have been

behind the forms of appointment order for the sake of convenience. A memo o acknowledgement in two foils shall also be attached as *per proforma* enclosed One of the acknowledgement foils will be returned immediately by post or by local delivery, as the case may be, to the Appointing Authority under the signature of an officer not lower than a Section Officer The Appointments Audit Cell will immediately *scrutinise* that the appointment is strictly in accordance with the requirements of service rules. If there is any irregularity an objection shall immediately be made.

5 The objection *memos* will be issued *under the signatures* of the Deputy Secretary, Incharge of the above cell and will be sent (by name) to the

med order of appointment may be issued in which case copies equal to member of officers involved be sent to the *Appointments Audit* Cell fo scrutinising individual cases

7 Any Appointment if continued after an extension of the term of urgent/temporary appointment shall for this purpose be considered as a fir appointment and necessary certificates and checks should be applied in th same way *as for a first appointment to the post.*

8 It is clarified that the Cell is expected to check fulfilment of statu tory requirements of rules/Government orders only and is *not to go into* an departmental claims or counterclaims of the officers The Cell will not entertai correspondence from the officers concerned direct and they may *contact* the Appointing Authority only In case of doubt, as

a particular appointment being regarded regul

thereof, the Department of Personnel (Rules)

clarification and for the removal of doubts. The

*will be brought to the notice of the Chief Secretary/Chief Minister.*

positively.

10 *In respect* of extension of new urgent/temporary appointments i.e appointments made within one year before the issue of this office memo, the

necessary clearance of the

of R P. S. C

kindly be acknowledged by

the Appointing Authorities themselves.

# Procedure to be followed by the Departmental Promotion Committees for promotions/confirmations of person who are under suspension or against whom Departmental Enquiry is pending or has been initiated.

1 A detailed procedure requiring the Departmental Promotion Committees or any other A . . . may be, to assess the suitability of such of the . . . under suspension or against whom Departr . . . has been initiated or are under progre s, was . . . rcular-Order No F 1(7) Apptts (A 11)/68 18 9-1971 Accordingly, all such persons are required to be given oppo tunity for consideration for promotion, without prejudice to such enquiries/ investigatior s etc pending against them If they are otherwise found suitable for promotion/confirmations, the recommendations of the Departmental Promotion Committee are kept in a sealed cover, which is required to be opened by the conce ned Appointing Authority only when the suspension of the concerned is found to be wholly unjustified or he is completely exonerated in the case of Departmental Enquiry pending against him In other words, in such cases even . . . ion is cast in the decision taken on a . . . the meeting of the Departmental Promo- . . . nd undeclared recommendations of the . . . are not implemented and the person . . . is not promoted

2 Thus, unless a Person has been fully exonerated he is not entitled to be promoted, even if the Departmental promotion committee without prejudice to any departmental Enquiry Pending against him might have found him suitable for promotion This has caused hardship in some cases either where even a minor charge is pending or in respect of Posts/Services for which Service Rules were not framed or Departmental promotion Committee did not meet for years together with the result that the persons who were working on an adhoc or urgent temporary basis for the last 6 to 10 years and even 2 or 3 stages above their substantive appointment, could not be promoted, If any Departmental Enquiry is now pending or has been even initiated against them, although the incident might relate to a time when they were working on a much lower post In such cases, when the Departmental Promotion Committee meets now, if they are even 'censured', despite their long continuous officiation, they are not only debarred from further promotions, but they have sometimes to face reversion to their substantive posts 2-3 stages below Th . . . on" fortuitously due to the fact . . . o be pending at the time of meet . . . but if the same would have been . . . taken by the Departmental Promotion Committee taking into consideration the Punishment.

It has therefore, been considered that, except in cases of suspension, the provisions of this circular may be relaxed to that extent that, instead of the condition of complete "exoneration' if the . . .
Promotion or Reversior . . .
required to reconsider s . . .
be imposed upon them . . .
them The matter has . . .
by the Government, as

(i) So far as officials against whom charges for imposing minor penalties under rule 17 of the Rajasthan Civil Services (classification control and Appeals) Rules 1958 are under consideration as far possible such simple *proceedings should be* finalised before p omotion are considered However if *such proceedings are* pending against an officer eligible for promotion he *should be considered for* promotion without Prejudice to such charges It would be *unjustified if even though such a person* is considered otherwise suitable *and is selected for promotion* by the *Departmental Promotion Com*mittee or the Appointing uthority *he is not actually promoted* Such person if Selected should be pomoted provisionally without prejudice to such Depa t mental Proceedings under rule 17 which might be pending or are about to be initiated against him at the time of meeting the Departmental Promotion Committee cases of promotion of such officials shall however be subject to review by Departmental Promotion Committ^e or the Appointing Authority after the Departmental Proceedings have been conculded and final orders of the Appointing Authority are passed thereon

(ii) As regards cases in which enquiries for charges under *rule 16 of the Rajasthan Civil Service (Classification Control and Appeals) Rules* 1958 *i e major penalties are pending such persons should continue to be considered for promotion to the next higher posts* without *prejudice* to the enqu ry pending *against them* at the time of meeting of Departmental Promot on Committee or when selections are made If a finding has been reached about the establishment of such charges against them the existing procedu e of ' Sealed Envelope" may Continue to be followed Otherwise such officials if selected may also be promoted provisionally and their cases be reviewed every year or whenever selection for such post are considered till the Departmental Enquiry is finally concluded Their promotion shall automatically abate if the punishment of Dismissal *Removal or Reversion or with holding of promotion* is passed, and if a lesser *Punishment is imposed their cas^es should* be reviewed by the *Departmental Promotion Committee or th^e* Appointing *Authority at the earliest* opportunity taking into consideration such *punishment*

4 The provisions of this Department Circular dated 18 9 71 referred to above shall be deamed to have been modified to the extent indicated in the preceding para with effect from the date of issue of this *Circular Past cases,* if pending finalisation may be decided in *accordance with these* inst uctions The necessity [illegible] al Enq uires well before promotions are considered ne [illegible] nade to expedite them *So far as confirmat* [illegible] to this Deptt Notifi cation F 7(7) DOP/ (B-11) 74 dated 28 12 1974

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# Making of adhoc/urgent/temporary Appointments of persons who do not fulfill the conditions of eligibility for promotion. Regularisation of pay and allowances of such officers.

Most of the Service Rules prescribe the conditions of minimum qualification for making one eligible or qualified for promotions to next higher category of the posts in the Service. The term "qualification dennotes (i) academic qualificat[illegible] [illegible] ing, if any, and (ii) experience or Service [illegible] porary (adhoc) appointments generally [illegible] as for regular recruitment These conditions [illegible] statutory and are repuired to be adhered to strictly by all the Appointing Authorities It may be pointed out here that there is no general provision in any of the existing Service Rules for relaxation of the prescribed qualifications

2. There are numerous cases in the various Departments whereln the persons who did not possess the requisite qualifications including experience prescribed in the respective Service Rules have not only been appointed on adhoc/urgent temporary basis but have also been continued for quite a long period In the cases the officials lacked prescribed experience also because regular promotions did not take place for a number of years and they could not acquire experience on intermediate posts although they were the seniormost Such appointments donot fulfil the requirement of the recruitment Rules and are open to challenge by the Accountant General etc

3 However, there might be some genuine difficulties of the Departments where at times qualified or persons elig'b'e for promotion in the next below grade might not be available but at the same time the posts cannot be left vacant for an indefinite period Filling of such vacancies alternatively by direct Recruitment cannot also be feasible on all the lateral and senior posts and it would also be against the prescribed quota for promotion Processing of any amendment of the prescribed qualifications also taken considerable time and it may not be desirable to lower the qualification for a temporary phase To meet with such exigencies in cases where Persons who fulfil conditions prescribed for eligibility for promotions are not available in the next below grade and it is absolutely necessary to fill the vacant posts out of departmental experienced officials and the efficiency is not likely to be impaired it has been agreed by the Government that in such cases appointments may be made in urgent/temporary capacity only on the basis of seniority-cum merit with the concurrence of Department of Personnel (A—GROUP-II) and the Rajasthan Public Service Commission also' where consultation is necessary after 1 year according to existing procedure under the rule relating to urgent/temporary appointments in the respective Service Rule But it has been considered that such officials who lack in prescribed experience/service should not be allowed the full benefit of pay on promotion

The whole matter has there-fore been examined and it has been decided in consultation with the Finaance Department as under :-

(1) That in no circumstances persons who do not possess the basis academic qualifications prescribed under the [illegible] or order [illegible] to time should be ap[illegible] from the open marke[illegible] rent duties to some[illegible] ste[illegible] ed[illegible] ti[illegible]

mic qualifications it should be done in urgent temporary capacity only afte obtaining the concurrence of the Department of personnel and the Financ Department for making appointment out of the persons who held on regul basis lower posts from which promotions is made, on the basis of sen iority -cum-merit In such cases, the Incumbents would continue to draw the pay annual grade increments etc of the lower posts only even while workin on the higher post

(2) That in the case of persons ...
cribed for the post or where a ...
but who do not fulfil minimum ...
Service Rules for promotion ar ...
motion ...
the ...
nativ ... vice Rules for making appoint-
ment by the other method ... But in
cases where ... here is
a provision ... under
such law or statute has been obtained,

Necessary amendments to the rule relating to Urgent Temperory Appo intments in the Various Service Rules are being made, accordingly it is requested that immediate action may kindly be taken to regularise all such pending cases in accordance with the aforesaid order.

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**Circular No. F 4(1) Karmik/Ka-II/74-II Dated 22 August, 1978**

## Determination of seniority of Class IV employees transferred from one Department to another Department.

Under rule 2(a) of the Rajasthan Class IV Services (Recruitment and other service Conditions) Rules 1963, Heads of the offices have been exercising the Powers of the Appointing Authority for Class IV services and Head of Department is competent to confirm them There also exists a provision of transfer of an employee from one department to another on a corresponding post under rule 6(b) of the said rules The Class IV cadre of each Head of the Department is separate. Instances have, however come to the notice where in some exceptional cases, even Class IV servants have been ordered to be trans ferred by a Head of Department from other Head of Department Office Certain Head of Department have raised a point for proper determination of seniority of such transferred Class IV servants

2 According to rule 19 of the Rules ibid, seniority in each category of the service is determined by the year of substantive appointment to a post in the particular category and confirmation of class IV servants could be made on the availability of substantive vacancy In certain departments temporary posts were converted earlier than others Thus the incumbents were also confirmed earlier than their counterparts in other departments.

3. Consequently a Class IV servent of a department who had put in comparatively lesser service than a Class IV servent of another department was confirmed earlier in view of the circumstances of a particular department

It creates an anomolous position if such Class IV servant is transferred to another department where Class IV servants with comparatively longer service could be confirmed from a later date for no fault of their own But under the provisions of Rules as explained above on transfer, such Class IV servant with less service by dint of his earlier confirmation, creates heart burning and gives rise to a grievance

4 The matter has been considered by the Government and it has been decided that henceforth for determination of seniority of such transferred Class IV servants the following procedure, akin to employees deputed from one department to another may be adopted —

(i) A permanent/temporary Class IV servant on transfer in exigencies of public service or in special circumstances will retain his lien/claim in the parent department At the time of such temporary transfer it should be clearly stated whether such transfer has been at the request of the employee himself,

(ii) Such temporary transfer will be for a specific period Not exceeding three years He will remain posted in the new cadre as a deputationist (temporary transfer) and his name will not be shown in the seniority list of new cadre

(iii) Names of such employee will continue to be shown in seniority list to be published by the parent Department

(iv) He will be considered for confirmation and promotion or retrenchment etc according to his turn in his parent department and shall have to go back to h... mentioned eventualities In the case ... his own request he will have to avail ...ion in parent cadre or finally forego ... no claim for it In the case of others ... back and they should be reverted to ...r parent cadre ,

(v) In case he does not wish to go back to his parent department, and the Appointing Authority is willing to retain him his service in the previous cadre will not count for seniority in the new department and he will be confirmed or promoted accordingly He should be required to give this option either when he joins the new department or as soon as any question of his promotion or confirmation in either of the two cadres arises

Case of seniority of class IV officials transferred from one Department to another may henceforth be decided in accordance with the principles indicated above

## अल्प वेतन भोगी कर्मचारियों का गृह जिले के बाहर स्थानान्तरण नहीं किया जावे

स प. 14 (44) कार्मिक/क 5/79 (2/80) दिनांक 7 जनवरी, 1980

अल्प वेतन भोगी कर्मचारियों को राहत प्रदान करने की दृष्टि से राज्य सरकार ने कार्मिक (क 5) विभाग के सम संख्यक परिपत्र दिनांक 25 6 79 द्वारा समस्त विभागाध्यक्षों से यह निवेदन किया था कि वेतन शृंखला 9 तक वेतन पाने वाले राज्य कर्मचारियों का स्थानान्तरण जहां तक सम्भव हो सके उनके गृह जिले के समीप ही किया जावे। इसके अतिरिक्त सरकार द्वारा इस सम्बन्ध में भी जोर दिया गया था कि उन कर्मचारियों के सम्बन्ध में भी सहानुभूति पूर्वक विचार किया जाय जिनकी सेवा निवृत होने

मे केवल पाच वर्ष ही शेष रह गये हैं और अपने जिले मे अथवा समीपस्थ स्थान जहा पर पद रिक्त हो पदस्थापन /स्थानान्तरण कराने के लिए इच्छुक हो।

सरकार के ध्यान मे आया है कि उपरोक्त परिपत्र का पूर्णरूप से पालन नहीं किया जा रहा है। अत. इस सम्बन्ध मे जारी किये गये उपरोक्त निदेशा को पुन. दोहराते हुए आदेश है जब भी कोई पद रिक्त हो तो इन पदो पर उन कर्मचारियो के स्थानान्तरण को प्राथमिकता दी जावे जो अपने गृह जिले से दूर स्थानो पर पद स्थापित है और आने के इच्छुक हो। इसके अतिरिक्त उन कर्मचारियो के प्रार्थना पत्रो पर भी विचार किया जाये जिसके सेवा निवृत होने मे केवल पाच वर्ष ही शेष रह गये हो और अपने जिले मे अथवा समीपस्थ स्थान पर जहा पद रिक्त हो पदस्थापन /स्थानान्तरण कराने के लिए प्रस्तुत करें।

**पति-पत्नि राज्य कर्मचारियो का एक ही स्थान पर पद स्थापन किया जावे**

*आज्ञा स. प. 14 (45) कार्मिक /क–5 /77(3 /80) दि० 7 जनवरी, 1980*

कार्मिक (क-5) विभाग के समसख्यक परिचय दि. 17 9 77 द्वारा समस्त विभागाध्यक्षो आदि से निवेदन किया गया था कि यदि पति–पत्नि भिन्न भिन्न स्थाना पर राजकोय सेवारत हो तो उन्हें एक ही स्थान पर पद स्थापन के सम्बन्ध मे उनके द्वारा प्रस्तुत प्रार्थना पत्रो पर सहानुभूति पूर्वक विचार किया जावे।

सरकार के यह ध्यान मे आया है कि उपरोक्त परिपत्र का पूर्ण रूप से पालन नही किया जा रहा है। अत उपरोक्त निर्देशो को पुन दोहराते हुए आदेश है कि भिन्न भिन्न स्थानो पर कार्यरत पति पत्नि राज्य कर्मचारियो द्वारा एक ही स्थ न पर स्थापन के सम्बन्ध मे प्रस्तुत प्रार्थना पत्रो पर विचार किया जावे।

**DOP III (1/80) न्यायालय से दण्डित राज्य कर्मचारियों के लिए की जाने वाली कार्यवाही की प्रक्रिया**

Circular No F 9 (7) Karmik/A-III/75 dated 14 March 1980

## Action to be taken in cases where Government servants are *convicted* on a *criminal* charge by a Court of Law

In supersession of the instructions contained in this department circular of even number dated 22 3 75 it is hereby ordered that hence forth the following procedure should be followed in the cases in which the Government servant is convicted by a Court of law on a criminal charge —

(i) As soon as a Government servant is convicted on a criminal charge, the disciplinary authority *should consider* the *facts of the case and the* quantum of punishment awarded and decide whether any penalty is to be imposed on the Govt servant *under Rajasthan Civil Services (Classification* Control & Appeal) Rules

(ii) In cases in which his continuance on Government duty is prima facie undesirable on account of his conviction he may be placed under suspension, if not already suspended

*(iii) In a case where a Government Servant has been convicted* by a court of law of an offence which is such as to render his further retention in *service primafacie undesirable, action to dismiss/ remove or* compul

so ?y retire him from Government service should not be taken before the pe-
riod for f... led before the
nment servant
vernment serv-
such Gover-
...vant but wait till the period for filing second appeal (if admissible) has elapsed or if a second appeal has been filed, till such an appeal has been decided finally. ... ervant
st the
.. App-
... should be used

(iv) In cases where the Rajasthan Public Service Commission have to be consulted ... de ... of punishment to be imposed on the for ... the Commission should be sought be-ant ... the services of such Government serv-

(v) If an appeal/revision against the conviction by the trial court succeeds and the Government servant is acquitted, a copy of the judgement of the higher court should be immediately procured and got examined if necessary in consultation with the Law Department with a view to decide :—

(a) Whether the acquittal should be challenged in a still higher court; or

(b) Whether despite the acquittal, the facts and circumstances of the case are such as to call for a departmental enquiry against the Government servant on the basis of the allegations on which he was previously convicted.

If it is decided to take the matter to a still higher court, acion to institute proper legal proceedings should be taken with the least possible delay.

If on the other hand, it is decided that a departmental enquiry should be held, formal order should be made for ordering such departmental enquiry.

But in cases where neither of the courses mentioned above are followed a formal order should be made setting aside the previous order of suspension and he should be reinstated in service. The period between the date of suspension and the date on which he resumes duty should be debt with under rule 54 and in doing so he should be deemed to be entitled to full pay and allowances from the date of his suspension to the date of reinstatement such period being counted as on duty for all purposes.

### Standard Form—'A'

WHEREAS Shri..................... ............ ........(Name and Designation) has been convicted on a criminal charge, under section .. .. ...... ..of ...... ...... ..

AND WHEREAS limitation for filing an appeal against the order of conviction has expired but no appeal has been preferred by said Shri .. .. .......

AND WHEREAS it is considered that the conduct of the said Shri ..... ..... (Name and Designation) . ...... .. . which has led to his conviction is such as to render his further retention in the public service undesirable,

Now, therefore, the Governor/undersigned hereby dismisses/removes the said Shri ...... . .. (Name and Designation) ....... from service w e f.......... ......... ...(Date) . ............. Disciplinary Authority.

### Standard Form—'B'

WHEREAS Shri .....................(Name and Designation) has been convicted on a criminal charge, under secti

*AND WHEREAS* appeal filed by said Shri . . ... . ..... against the o of conviction has been dismissed by the Appellate Court.

AND WHEREAS limitation for filing an appeal against the orde *the first Appellate Court has expired but no second appeal* has been prefe by said Shri .............. ........

AND WHEREAS It is considered that the conduct of the said Shri .......... which has led to his .. (Name & Designation) conviction is such as to render his further retention in the public ser *undesirable*

NOW therefore the Governor/undersigned hereby dismisses/remo . . .. Designation) from service ........ ... ... .. Disciplinary Authority

**Standard Form—'C'**

WHEREAS Shri . . .. . . (Name & Designation) ... has been convicted on a criminal charge, under section .. of .

*AND WHEREAS conviction of said Shri . ..... ... . . has been fin* upheld by the Appellate Court.

AND WHEREAS it is considered that the conduct of the said Shri ........... . which has led to his . (Name & Designation conviction is such as to render his further retention in the public ser *undesirable.*

hereby dismisses/remo & Designation) )isciplinary Authority

———

विषय :—राज्य कर्मचारियो को गत भुगतान प्रमाण–पत्र (Last Pay Certifica के अभाव मे वेतन का भुगतान ।

सरकारी कर्मचारियो के एक स्थान से दूसरे स्थान/विभाग मे स्थानान्तरण गत भुगतान पत्र (Last Pay Certificate) समय पर जारी नही किये जाने स्थिति मे उन्हें स्थानान्तरित स्थान पर वेतन का नियमित भुगतान नही किया जा सक है और इससे उन्हे अनावश्यक आर्थिक कष्टो का सामना करना पडता है। समय गत भुगतान प्रमाण पत्र (Last Pay Certificate) सम्बन्धित अधिकारियो द्वारा ज किये जाने के सम्बन्ध मे सम्बन्धित नियमो मे प्रावधान के अतिरिक्त समय स पर निर्देश भी जारी किये गये, किन्तु इसके बावजूद भी विभिन्न अवसरो पर कर्मचारि द्वारा कठिनाइयो का सामना करने की शिकायते प्राप्त होती रही है।

विभागीय सम सख्यक दिनाक 20–8–77 के द्वारा सामान्य वित्तीय एव ले नियमो के नियम 163 एव 200– के प्रावधानो एव समय समय पर जारी निर्देशो और सम्बन्धित अधिकारियो का ध्यान आकर्षित कर पुन अनुरोध किया गया था स्थानान्तरित राज्य कर्मचारियो के गत भुगतान पत्र (Last Pay Certificate) उ कार्य मुक्त किये जाने के अवसर पर ही जारी कर दिय जावें तथा समय पर ऐसी का

वाही नहीं करने वाले अधिकारियों के विरूद्ध विभागाध्यक्षों द्वारा आवश्यक अनुशासनात्मक कार्यवाही का जने का अनुरोध भी किया गया था। किन्तु फिर भी स्थिति मे वांछित सुधार नहीं हाना पाया गया है। विभागीय सम सख्यक परिपत्र दिनाक 20-8-77 मे आंशिक सशोधन करते हुए यह निणय लिया गया है कि अन्तिम वेतन प्रमाण पत्र (Last Pay Certificate) न प्राप्त होने की दशा मे यदि कर्मचारी द्वारा अपन गत वेतन व कटौती आदि के बारे मे लिखित मे प्रमाण-पत्र दे दिया जाता है तो उसके आधार पर नये कार्यालय अध्यक्ष द्वारा उसे वेतन व महगाई भत्ते का तीन माह तक भुगतान कर दिया जाय।

कर्मचारी का गत भगतान प्रमाण पत्र (Last Pay Certificate) प्राप्त होने पर प्रत्येक मामले की जाच सम्बन्धित कार्यालयध्यक्ष द्वारा की जाकर भुगतान वेतन भत्तो तदनुसार समायोजन किया जावेगा और कर्मचारी द्वारा गलत/असत्य विवरण प्रस्तुत कर अधिक भुगतान प्राप्त कर लेने की स्थिति मे उसके विरूद्ध आवश्यक अनुशासनात्मक कार्यवाही की जावेगी।

इसे अत्यावश्यक समझा जावे तथा आपके अधीन कार्यरत सभी आहरण वितरण अधिकारियों कार्यालयाध्यक्षों के ध्यान मे लाया जावे। इस परिपत्र की प्राप्ति की सूचना भी इस विभाग को शीघ्र भिजवाई जावे।

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# RULES FOR THE SECRETARIAT EMPLOYEES BENEVOLENT FUND

1 **Short Title** —These Rules shall be known as "The Rajast Secretariat Employees Benevolent Fund Rules 1978

2 **Application** —These Rules shall apply to the Secretariat stai all categories in the Secretariat subject however, to the limitations here after prescribed in these Rules

3 **Date of Commencement** —These rules shall come into f with immediate effect

4 **Object and Scope** —The object of the fund created by th rules is to relief distress amongst the staff members of their families and a dependants of any deceased member of the staff in times of natural calam and hard pressing needs in discharge of unavoidable family or personal obli *tions and liabilities*

5 **Definitions** —In these Rules unless the context otherv *requires* —

(1) **Fund** —Means the Rajasthan Secretariat Employees Benevol Fund as constituted by Rules 6

(2) **Employees** —Means members of all categories of staff of Raj than Secretariat

(3) **Heir** —Means the *nominated heir of the* deceased in accordai with the preference prescribed for family pension *rule un* the R S R

(4) **Family and Dependent** —Means (a) Wife/Husband (b) Sc *and unmarried or widowed daughters dependent* on deceased Invalid brother and sister dependent on deceased (d) *Widow* mother (e) Invalid father and Invalid mother

(5) **Committee** —Means the committee constituted under *Rule 7* administer the Fund in accordance with these rules

(6) **Emoluments** —Means pay or officiating pay *including pe sol* pay and dearness allowance or any other allowance or *special p* of a permanent nature.

(7) **Beneficiary** —Means members of the staff who has subscrib to the fund at least for a period of three months

6 **Constitution of the Fund** —There shall be constituted a *Fur* known as the Rajasthan Secretariat Employees Benevolent Fund *The fur* will be constituted through —

(i) regular contribution by the members of all categories of staff the Secretariat at the scales prescribed in Rule 6

(ii) contribution by the State Government

(iii) Incomes from investments

*(iv) private donations and contributions*

(v) special funds raised by the staff for the purpose ,

(vi) transfer of balances available out of similar funds obtaining *in bene-*volent fund constituted in 1963

7 Administration and Management of the Fund

(1) The fund shall vest in and be managed by a committee consisting of the following —

| | |
|---|---|
| (i) Chairman of the Secretariat Staff Council | Chairman |
| (ii) Dy Secretary DOP(B) | Vice Chairman |
| (iii) Accounts Officer (D O P C ) | Treasurer |
| (iv) President of the Rajasthan Sectt Ministerial Services Association | Member |
| (v) Four members from the Staff Council to be nominated by the Staff Council | Member |
| (vi) One member from the Executive Committee of the Sectt Employees Co operative Credit and Thrift Society to be nominated by the Executive Committee of the Society | Member |

(2) One of the four nominated members of the Staff Council to be nominated by the Chairman will work as Secretary of the Committee

(3) Out of the four nominated members of the Staff Council two will retire eve y year and will be replaced by two other nominated memb^rs of the Staff Council The retired members being not eligible for re nomination in the following year Such retired members may be nominated by the Staff Council in the Subsequent years

(4) In the absence of Chai man the Vice Chairman shall preside over the meetings of the Committee or in the absence of both Chairman and Vice Chairman the Treasurer shall preside

(5) Four members excluding the Presiding Officers Shall form quorum

(6) Decisions of the Committee will be either unanimous as far as possible or by majority of votes

(7) The Presiding Officer will not cast his vote except in case of ties

(8) The Secretary shall record minutes of the meetings and shall carry all correspondence and routine work relating to the Fund and the rules

(9) The Committee shall meet as and when required but at least once in a quarter

(10) The committee can co opt any member of staff or an officer of the Secretariat if need be but such co opted member will not be entitled to vote

(11) The committee shall frame such regulations for procedure as are necessary to the proper discharge of its responsibilities and its decisions with regard to administration maintenance and operation of the fund according to the rules shall be final

(12) All the amounts of the fund shall be kept in a joint account in Savings Bank account as per directions of the committee in a scheduled bank preferably in a Bank which has its branch in the Secretariat

(13) The account shall be operated jointly by the Treasurer and the Secretary of the Committee

(14) Moneys will be drawn through a cheque only after approval of the Committee In emergency the Chairman will authorise to cause withdrawal and payment to beneficiary of a sum not exceeding Rs 200/- at a time in each case subject to the condition that it is

got rectified in the next meeting of the Committee or by circulation

(15) Payments shall be made by the Treasurer to a beneficiary according to the procedure to be prescribed by the Committee which will be consistent with the financial rules and admissible in audit

(16) The treasurer will be responsible to maintain proper accounts of the Fund In the event of increase in the volume of work he will be given assistance with the approval of the Committee He shall place before the Committee a statement of annual accounts for approval in the beginning of the each financial year or on a date fixed by the Committee The accounts shall be got audited through Recognised Auditors/Government Auditors and a copy of audited accounts shall be furnished to State Government each year.

8 CONTRIBUTION .—

(1) All permanent members and those temporary hands who have put in more than two years continuous service of the Secretariat shall contribute at the flat rate of Rupee one per mensem

(2) First subscription shall be realised in the month following the month of the enforcement of these rules and further monthly subscriptions shall be realised from the pay disbursed in the following months In case of default in payment of monthly subscription for three consecutive months during which the salary is drawn the benefits of the fund and beneficiary shall be debarred from getting benefits and be notified accordingly

(3) Resignation dismissal, discharge, removal or retirement from service will not entitle any subscriber to any refund of the contribution made by him towards the fund

9 Relief —Relief out of this fund shall be admissible only to such members who have subscribed towards the fund and who continue to be in service at the time of grant of relief or retirement or death

10 *Nature and Quantum of Relief* —The Relief of the following nature and upto the extent mentioned against each will be granted by the committee —

(a) on demise of beneficiary to be paid to heir of the deceased beneficiary Rs 500/-

(b) Marriage of daughter or sister, solely dependent on the deceased Rs 500/–in each case if the marriage takes place within a period of three years from the date of death of the beneficiary To be given to only one person either daughter or sister

(c) Any other porpose to be decided by the Committee a loan not exceeding Rs 1000/- bearing interest at 5 per cent per annum recoverable in monthly Instalments of not exceeding Rs 50/-

11 Relief at (a) and (b) shall be admissible to the family and dependents of such beneficiary who expires within two years after retirement The period of two years can be further extended in the discreation of the committee in certain hard cases for example when pension is not granted even after two years of retirement etc

12 Relief will be granted subject to the necessity of the relief to the beneficiary and his dependents and also subject to availability of the funds

13 The size of the family and number of dependents and pecuniary position of the beneficiary and other details necessary in determining the relief shall be got verified through means and channels prescribed by the Committee

AMENDMENTS

Amendment to or relaxation in the rules can be done on the consent of at least 3/4th of the members contributing to the fund at any time

# HAND BOOK ON DISCIPLINARY PROCEEDINGS

1 **Introduction** —The detailed procedure to be followed in disciplinary proceedings is set out in an elaborate manner in the Rajasthan Civil Services (Classification Control & Appeal) Rules, 1958 with which all Government Officers particularly the Disciplinary Authorities, are required to be fully conversant It has however, been noticed that the Disciplinary Authorities either do not find the requisite time to familiarize themselves with the rules and other essential procedural requirements relevant to the disposal of such cases or they do not attach due importance to them with the result that the disciplinary proceedings and the ultimate orders passed therein are set aside in appeals/reviews/revisions, and also by the Law Courts owing to procedural irregularities therein This not only results in delaying the completion of Departmental Enquiries but also causes avoidable hardship to the delinquents It has therefore been considered necessary to prepare this hand book containing reference to the basic rules and essential procedural requirements including orders and notifications issued by the Government from time to time This hand book merely supplements the Rajasthan Civil Services (Classification, Control & Appeal) Rules and is not a substitute for them The All India Service Officers are not govered by this procedure

2 **Initiation of preliminary Enquiries** —(i) When any serious delinquency or misconduct on the part of a Government Servant calling for disciplinary proceedings is brought to the notice of his superior, the latter should without any avoidable delay make a preliminary enquiry into the matter either himself or cause such an enquiry to be made by an officer superior to the delinquent.

(ii) In cases involving allegations of corruption a reference should immediately be made to the Additional Inspector General of Police, Anti-Corruption Department through the Head of the Department and in case of persons appointed by the Government through the Appointments Department, as urgently as possible for a probe into the matter Further action should be taken on receipt of the recommendation of the Additional Inspector General of Police

(iii) In cases of simple nature or where the Disciplinary Authority is otherwise convinced of the veracity of facts, the preliminary enquiry may be dispensed with

(iv) During the preliminary enquiry, all available evidence and relevant documents should be collected,and evidence of witnesses reduced to writing and got signed by them, as far as practicable The version of the delinquent may also preferably be obtained in writing The officer conducting the preliminary enquiry should after recording the available evidence and examining the relevant documents arrive at his findings regarding the veracity or otherwise of the allegations enquired into by him The complaint, the evidence as also the findings should constitute the preliminary enquiry report which should be submitted to the Disciplinary Authority, within three months along with draft statements of allegations and charges

3 **Examination of report of preliminary enquiry** —On receipt of the report of the preliminary enquiry the

major penalty as specified in clauses (iv) to (vii) of rule 14 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 In the forme case only an explanation of the delinquent may be called under Rule 17 (i) while in the latter the delinquent would have to be regularly charge sheeted under Rule 16 of the aforesaid Rules

4 **Suspension** —(i) If as a result of preliminary enquiry it is considered that it would not be in the public interest to retain the delinquent on the post he is holding owing to the gravity of the charges against him or if a Government employee has been arrested on a criminal charge the delinquent should forth with be placed under suspension The suspension should not normally be ordered by an authority subordinate to the appointing authority but in case the exigencies of the service demand immediate action other than this the authority passing the suspension orders should get them confirmed by the Appointing Authority The authority to place a Government servant under suspension has recently been delegated to the authority competent to impose upon the said Government servant any one of the minor penalties specified in Rule 14 of the Rajasthan Civil Services (Classification Control & Appeal) Rules Suspensions should not be ordered with effect from the date of order or any date anterior thereto but from the date of handing over charge (Shree Prashad 1960 R L W 386) A standardized draft for Suspension is given in Appendix 1

(ii) The authority placing a delinquent under suspension is required to sanction the grant of subsistance allowance to the delinquent subject to the maximum of 1/4th of his pay and Dearness Allowance admissible thereon

(iii) **Time schedule for Departmental enquiries against Government officials under suspension** —In case of departmental enquiries against Government officials under suspension the following time schedule has been prescribed

| | |
|---|---|
| (1) Completion of Preliminary Enquiry and submission of its report to the Disciplinary Authority along with draft statements of allegations and charges | 3 months |
| (2) Examination of Preliminary Enquiry Report and service of charge sheets on the delinquents | 1 month |
| (3) Submission of Written Statements by the delinquents | Minimum 3 weeks Maximum 2 months |
| (4) Examination of written statements and appointment of Enquiry Officer | 2 weeks |
| (5) Completion of Departmental Enquiry | 3 months |
| (6) Examination of Enquiry Report | 2 weeks |
| (7) Issue of Show Cause Notice | 2 weeks |
| (8) Submission of reply to the show cause notice by the delinquent | 3 weeks |
| (9) Examination of reply to the show case notice and issue of final orders | 1 week |

**Note** — In case it is difficult to adhere to the aforesaid time schedule at any particular stage in a case approval for extension of the limit in respect of any particular stage will be obtained from the Disciplinary Authority In the event of any similar difficulties experienced by the Disciplinary Authority it will obtain such approval from the next Higher Authority

(iv) If any delinquent Government employee has continued under suspension for a period exceeding two years (and he is not being prosecuted

shall review the suspension order grounds leading to his suspension d but if the competent authority ... normally be the appointing authority) feels that the grounds on which he was suspended no longer exist or if such authority feels that there are any special circumstances which warrant reinstatement then for reasons to be recorded in writing such authority may reinstate the Government employee The reinstatement shall be without prejudice to the decision to be taken in the departmental enquiry case A decision as to how the period of suspension is to be treated in a case where reinstatement has taken place shall, however be taken when the departmental enquiry against the delinquent has finally been decided

The Enquiry Officer shall immediately on expiry of one year of one year of the institution of an enquiry inform the Administrative Department concerned through the Head of Department (where the Enquiry Officer is other than a Head of Department himself) the likely time within which the enquiry was likely to be completed and the reasons for the delay that had already occured or was likely to occur Thereafter a further progress report would be sent every three months to the Administrative Depaiment concerned Such cases shall be reviewed in the Administrative Department and proper orders passed Where it is felt that the Enquiry Officer had inordinately delayed an enquiry without sufficient cause or there were malafide intentions behind the delay, the Appointments Department should be moved for initiating disciplinary proceedings against the Enquiry Officer concerned

## Action Against Enquiry Officer/Disciplinary Authority

Where in an appeal to the higher authority or as the result of a Court decision or otherwise it is found that any delinquent has been acquitted due to non observance of prescribed procedure either by the Enquiry Officer or the Disciplinary Authority departmental action should invariably be taken against them if it is found that they intentionally violated the prescribed procedure or were grossly negligent in not following the prescribed procedure or there was a malafide intention in violating the procedure

(v) When a Government servant who was placed under suspension pending enquiry into his case is reinstated the authority competent to order the reinstatement should invariably state in its order how the period of suspension ... period ... to be given for such pay a... he is entitled to full wanc... ... tion of pay and allowances ... prescribe Reinstatement ... Government servant assumes charge at the place of his posting

(vi) An annual statement for each calendar year showing the Government employees placed under suspension and the result of their departmental enquiries is also required to be submitted to the Government in the Appointments Department by all the Heads of Departments by 15th January each Year in the proforma as at Appendix 2. This statement is reviewed by the Government every year and therefore must be sent on schedule

5 **Drafting and service of letter calling for explanation—Rule 17**—In a case meriting any one of the minor punishments as specified in Clauses (i) to (iii) of Rule 14 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 when the case does not primarily depen upon oral evidence the disciplinary authority should simply issue a letter to the de-

*linquent official mentioning the allegations prima facie made* out agains and giving him an opportunity to explain his conduct within a specif riod, say fifteen days. In this Memorandum mention of any proposed p should not be made as the punishment is to be decided upon after exami of the explanation received from delinquent official in reply to th s mem dum This memo must be signed by the Disciplinary Authority himself ar by any other authority This Authority must also ensure that the delin does receive this letter calling for his explanation (through Reg stered A/I or otherwise

6 **Examination of Explanation**—On receipt of the expla from the delinquent in his defence or without it if no such reply is receive him within the specified period (as extended from time to time by th ciplinary Authority) the discip inary authority should examine the case view to arriving at a decision on the facts thereof

7 **Exoneration of Delinquents or imposition of minor pena**
(a) If as a result of examination of the case in which explanation of t linquent was called for, the disciplinary authority is co quency stands substantiated the disciplinary authority linquent An intimation of such an exoneration shall to the delinquent

(b) In case the disciplinary authority is of the opinion tha examination of the case involving explanation has shown that the delin cies stand substantiated against the delequent the disciplinary autho impose any one of the minor penalties [Clauses (i) to (iii) of Rule 14] the delinquent Before passing an order imposing a minor penalty iss any show cause notice to the delinquent official is not required and sh therefore be avoided

(c) If a delinquent admits his delinquency the decision is fa ted but if one does not, the extent to which a delinquency stands sub tiated is to be examined with reference to the relevant records

8 **Drafting and service of charge-sheet—Rule 16**—In a meriting any one of the major penalties the delinquent should be served v detailed statement enumerating the allegations as also a statement of ch called out of them asking him to submit his defence after inspection relevant record if he so desires . . . prescribed Rule 16 of the Rajasthan Civil Rules 1958. The person charged ment of his defence within a reas . . . also be asked to state whether he desires to be heard in person The re of the charges must be ensured by sending them through Registered A/D or by personal service Though it is in the discretion of the Disciplinary thority to decide what would be the reasonable time it is safer to give at 15 days The charges and statement of allegations should be signed by Disciplinary Authority himself and not by any other authority The allega and charges should be very carefully drafted and should not be incomp e vague The charge that the delinquent s work during a particular period unsatisfactory was cons dered as vague in 1953 Nag 139 and it was down that for an opportunity to be reasonable a pe son must be told i clearest terms and with full particularity what his alleged faults are A s rate charge should be framed in respect of each separate delinquency is desirable that the charges should not be unnecessarily numerous and should not except where the charge is one of inefficiency or incompet rela e to matters which have already been the subject of any previous of

.. being that the officer charged should have .. r alleged against him. Standardized drafts are

9 Imposition of Major penalties and appointment of enquiry officer—If the Disciplinary Authority is convinced, as a result of examination of the written statement (or where no written statement has been received within the prescribed time as extended from time to time and it has been decided to proceed exparte) that certain allegations for their proof require a regular enquiry or being se ious ... may merit the imposition of any one of the ... hority may itself enquire into such of the ... ders necessary to do so appoint under his ... Board of Enquiry for the purpose The ... and only very complicated and intricate ... king the selection of an Enquiry ... ousness of the allegations and the ... not be entrusted to an Officer, who ... have himself held the preliminary enquiry or had previously experssed definite op ... quiry Officer should a p son ... be Fair Minded and ust In c ... during the course f the enqui y a fresh order for the appointment of another Enquiry Officer would inva iably be issued in the prescribed form. On the transfer of an Enquiry Officer and the appointment of a new one, the delinquent officials do not have any right of claiming a de novo enquiry The Enquiry Officer also need not record the evidence over again unless in any particular case, he specially decides to do so keeping in view the circumstances of the caee. A draft appointment order is given in Appendix 4

10 Joint Enquiry —Where two or more Government servants (Gazetted or non-gazetted belonging to the same service or different services) are concerned in any case, the Government or any other authority competent to impose the penalt ... ervants may mak ... nay be taken in ... senior most deli quent will charge-sheet all the delinquents

11 Inspection of records by delinquents —Apart from the provisions of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 the Government have laid down the following instructions for grant of copies and for permission for inspection of records to the delinquents .—

(i) The right of access to official records' is not unlimited and it is open to the Disciplinary Authority to deny such access if in its opinion—

(a) such records are not relevant to the case, and/or

(b) it is not desirable in public interest to allow such access.

(ii) The power to refuse access to official records should, however, be very sparingly exercised ... from the point of view of ... which the document may, ... not clear to the Discipl ... request for access should not be rejected.

(iii) The power to deny access on ... be exercised only when there are reasonabl ... that public interest will clearly suffer. Cas ...

very few and normally occasion for refusal of access on the ground that it is not in public interest should not arise if the document is intended to be used in proof of the charge and if it is proposed to produce such a document before the Enquiry Officer, if an enquiry comes to be held

(iv) It has to be remembered that serious difficulties arise when the Courts do not accept as correct the refusal by the Disciplinary Authority of access to documents In any case where it is decided to refuse access reasons for such a refusal should be cogent and substantial and should invariably be recorded in writing

(v) A list of documents which are proposed to be relied upon to prove the charge and the facts stated in the statement of allegations should be supplied to the delinquent either along with the charge sheet or as soon there after as possible The officer should be permitted access to the documents mentioned in the list, if he so desires

(vi) If the delinquent requests for any official records other than those included in the list the request should ordinarily be acceded to in the light of the foregoing paras

(vii) Reports submitted to Government or other competent authority including the Disciplinary Authority by an Officer appoin ed to hold a prelimi nary enquiry to acertain facts reports made after a preliminary enqui y or the reports made by the Police after investigation other than those referred to in clause (a) of sub section (1) of section 173 of the Code of Criminal Proced ure 1898 are usually confidential and intended only to satisfy the competent authority whether further action in the nature of a regul r departmental inqui y or any other action is called for It is not necessary to give access to the Government servants to these reports

**(viii) The statements of witnesses recorded in the course of (1) preliminary enquiry conducted by the department or (2) investigation made by the Police** These statements can be used only for the pu pose of c oss examination and the Government servant is called upon to cross examine only those witnesses whose statements are proposed to be relied upon in proof of the charge or of the facts stated in the statement of a legations As stated the Government servant concerned need not be given access to the statements of all witnesse sexamined in the preliminary enquiry or investigation made by the Police and access should be given to the statements of only those witnesses who are proposed to be examined to p ove the charges and the facts mentioned in the statement of allegations In some cases the Government servant may require copies of the statements of some witnesses on which no reliance is proposed to be placed by the Discip inary Authority on the grounds that he pro poses to examine such witnesses on his side and that he requires the previous statement to corroborate the testimony of such w tnesses before the Enqu ry Officer As previous statement made by a person examined as a w tness is not admissible for the purpose of corroboration access to such statements can safely be denied However the law recognises that if the former statement was made at or about the time when the fact took place and the person is called to give evidence about such fact in any proceedings the previous statement can be used for purposes of corroboration In such cases it will be necessary to give access to the previous statements

**(iX) Stage for access to the statement of witnesses**—The ies of the statements of witnesses can be used ouly for the purpose of cross ination and therefore the demand for copies must be made when witne

sses are called for examination at the oral enquiry. If such a request is not made the inference would be that the copies were not needed for the purposes The copies cannot be used at any subsequent stage as those statements are not to be taken into consideration by the Disciplinary Authority also Copies should be made available within a reasonable time before the witnesses are examined. It would be strictly legal to refuse access to the copies of the statements prior to the evidenee stage in the departmental enquiry, but in exceptional cases the Disciplinary Authority in exercise of their discretion may allow such copies earlier for purposes of preparation of the written statements in reply to the charge-sheet if the same are insisted upon by the delinquent.

(X) **Copies of documents.**—Sub-rule (3) of Rule 16 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958, does not provide for supply of copies of documents , Consequently, it is not ordinarily necessary to supply copies of the various documents and it would be sufficient if the officer is given such access to these documents as is permissible under the rules, referred to above.

(Xi) Government servants involved in departmental proceedings when permitted to have access to official records some times seek permission to take photostat copies thereof. Such permission should not normally be given especially if the officer proposes to make the photostat copies through a private photographer, as thereby third parties would be allowed to have access to official records which is not desirable If, however, the documents of which photostat copies are sought for are so vitally relevant to the case (e. g where the proof of the charge depends upon the proof of the handwriting or a docu

... it would be sufficient if the Government servant is permitted to inspect the officials records and take extracts therefrom as is provided for in the aforesaid rules

12. **Departmental representatives and representatives of delinpuent officers**—(i) The Disciplinary Authority while entrusting the enquiry to the Enquiry Officer or immediately thereafter should nominate any person or persons to present the prosecution case before the Enquiry Officer.

(ii) Similarly, the ...
*tance of any other Governm* ...

... ciplinary Authority having regard to the circumstances of the case so permits under the said rule

(iii) Ordinarily pleaders should not be allowed to appear in the enquiry, otherwise the enquiry might be prolonged The person charged is also not ... a pleader in such enquiry But ... s on either side, and it must ... ed should have an adequate ... the case is very complicated ... to be embarrassed, he might ... 958 All. 532 & 1961 Cal 1). ... must be allowed in very exceptional circumstances and for reasons to be recorded in writing.

**13 Procedure before the enquiry officer** —(i) Before the commencement of the oral enquiry if a written statament of defence has been filed, and even if no such written statement has been filed the person charged should be given an opportunity of making an oral statement, either to supplement or *explain the written statement, or in lieu of it as the case may be* If the person charged refuses to make any statement as regards any charge his refusal to make a statement should be recorded It should, not, however, be presumed from his refusal to make a statement that he admits the truth of the charge

(ii) At an oral enquiry evidence should be heard as to such of the allegations/charges as are not admitted The Enquiry Officer should record the statement of witnesses in the presence of the delinquent official who should be provided a full opportunity to cross examine them Statements recorded during the course of preliminary enquiry do not form part of proceedings in a departmental enquiry It may be carefully noted that merely allowing opportunity to cross-examine the prosecution witnesses, whose evidence was recorded during the preliminary enquiry will not meet the requirements Such witnesses should *be examined ab initio in the presence of the accused officer* (*Kanaiya Lal v/s* State of Rajasthan RLW 1958) For the purpose of contradiction during cross-examination the delinquent may be given the copies of the statements of witnsses recorded during the preliminary enquiry before the enquiry starts He should further be allowed to give evidence in person and to examine witnesses in support of his defence, and these witnesses can be cross examined by the Departmental Representative or the Enquiry Officer

(iii) Ordinarily the person charged should be required to produce his documentary evidence if any along with his written statement but such evidence should not be rejected merely because it is produced late It is always safer to admit re evant documentary evidence produced by the person charged even at a late stage The documentary evidence proposed to be used against such person should, as a rule be placed on record at a very early stage and a list of such documents should ordinarily be supplied to him at the time when he is charge sheeted

(iv) For facility of reference, the witnesses examined on behalf of the prosecution should be serially numbered as P W I, P W 2 etc, and the defence witnesses as D W 1, and D W 2 etc Similarly the documents produced in evidence on behalf of prosecution should be ma ked as Ex P 1, Ex P 2 etc and the documents on behalf of the defence as Ex D 1, Ex D 2 etc, and below such markings the Enquiry Officer must invariably sign

(v) The Enquiry Officer can decline to exmine any witness on the ground that his evidence is not relevant or material to the charges but he must *record in writing* his reasons for doing so This discretion should not be exercised capriciously to the prejudice of the delinquent Ordinarly the requst to call a witness shou d not be rejected When however it appears that a request to call a particular witness is vexatious or is made with a view unnecessarily to delay or prolong the enquiry such request may be refused however to the above requirement that *such a refusal must be made after recording the reasons* in writing therein as required by Rule 16 (6), of the said Rules

(vi) The evidence of witnesses should ordinarily be recorded in the form of a narrative No oath shall be administered to witnesses The record of statement of each witness should clearly indicate whether the deliqient has cross-examined the witness or has declined to do so After the evidence of a witness is completed it should be read over to him and then signed by him and the Enquiry Officer If the witness denies the correctness of any part of his

evidence when the same is read over to him, the Enquiry Officer, may, instead of correcting the evidence, make a memorandum thereon of the objection taken to it by the witness and may add such remarks as he thinks necessary It should be remembered that the Enquiry Officer can in no circumstances delegate any of his functions to any other Officer.

(vii) The Enquiry Officer is empowered under the provisions of the Rajasthan Disciplinary Proceedings (Summoning of Witneses & Production of Docments) Act, 1959 and the Rules made thereunder, to enforce the attendance of witnesses and call for the documents irrespective of the fact that the witness is a Government servant or a private individual The Act and the Rules made thereunder are available at Appendix 5, Rule 34 of the T A Rules provides for payment by Enquiry Officer of expenses to private individuals summoned by the Enquiry Officer as witnesses during the course of enquiry

(viii) After the evidence on both the sides is recorded, the delinquent should be given an opportunity to address arguments, if he so desires

During the course of the enquiry all possible questions relevant to the charge-sheet forming the basis of the enquiry should be allowed to be raised. Questions, though not directly relevant to the charge-sheet, may, if the same are expected to facilitate the arrival of a decision thereon, be allowed to be resorted to looking to the merits of the individual cases

(ix) At the conclusion of the Enquiry, the Enquiry Officer should prepare a report of the enquiry recording his findings separately on each of the charges together with reasons therefor The findings should be well reasoned and arrived at after due consideration of evidence on both sides. Evidence not brought [illegible]
the delinquent If in [illegible]
[illegible] based on admitted facts or
[illegible] nding himself against them
[illegible] mend the charge/s It is not necessary for the Enquiry Officer to specifically propose any punishment, and he should confine himself only to recording findings in respect of each charge

**14 Examination of the Findings of Enquiry Officers** —On receipt of the Enquiry Report the Disciplinary Authority should consider the record of enquiry and [illegible]
on each cha [illegible]
[illegible] ry Authority, having regard to its
[illegible] hat none of the allegations have
[illegible] An intimation of such an exoneration shall be conveyed in writing to the delinquent.

(ii) If the Disciplinary Authority after considering the enquiry report comes to the conclusion that only a minor punishment as specified in clauses (i) to (iii) of Rule 14 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 is called for it may pass appropriate orders in the case without issuing any show cause notice

(iii) If the Disciplinary Authority, having regard to its findings on the charges is of the opinion that one of the major penalties specified in clauses (iv) to (vii) of Rule 14 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 should be imposed, it shall—

(a) furnish to the delinquent a copy of the report of the Enquiry ... Discipli- ... ry Officer, ... Enquiry Officer, and

(b) give him a notice proposing a tentative punishment and calling upon him to submit within the specified period say 15 days, such representation as he may wish to make in writing against the findings of the proposed punishment (Appendix 6).

**NOTE :**—The same formalities shall have to be observed in a case where the disciplinary authority is itself the Enquiring Authority.

(iv) On receipt of the representation in response to the show cause notice the points raised by the delinqunts should be carefully considered and after consultation, with the Commission where required (para 17 X) an appropriate penalty imposed having regard to the nature and grâvity of charge proved against him While determining the quantum of punishment, the Disciplinary Authority can take into consideration the past record or previous misconduct of the delinquent only *if it has been mentioned in the show cause* notice and the delinqueet is given full opportunity to explain it. (A I R 1954 Nag 90 & 1960 All 270)

(v) If the punishment proposed in the show cause notice against the delinquent is of a grave nature but after hearing his representation a milder kind of punishment is decided upon a fresh show cause notice is not necessary, *but a fresh show cause notice shall be necessary if a greater punishment is* envisaged

(vi) Final orders passed by the Disciplinary Authority shall be communicated to the Government servant and in cases of Subordinate Service and the Ministerial Service the same will be communicated to the Government in the Administrative Department also and in cases of Class IV Service to the next higher authority also with a view to enable the Administrative Department or the next higher authority to judge the adequacy of punishment and to review and revise if necessary the final orders so passed

16. **Prosecution**—In cases ... Department or the District Police or any other ... delinquent *as a result of investigation* ... mine the factual report very carefully, and may accord the requisite sanction or refuse to accord the same, if the facts of the case so warrant In any case all such references from the Anti-Corruption Department or the District Police should be disposed of within 15 days from the date of their receipt

... possible, giving in ... ch prosecution is ... sanctioning auth- ... rticular Authority is competent to accord the sanction A proforma of the sanction is *available at* Appendix 7

17 **Punishments**—*(i) The penalties that can be imposed* under the Rajasthan Civil Services (Classification, Control & Appeal) Rules 1958 are specified in Rule 14 thereof and they can be imposed for any good or sufficient reason *The list is exhaustive and it would not be correct to* inflict a penalty in any other shape or form e g with-holding of pay, grant of leave without pay when other kind of leave is due, imposition of fines etc

(ii) What should be the nature and quantum of punishment in a particular case is a matter which can best be decided by the Disciplinary Authority

itself, having regard to the facts and circumstance of the case and the precedents available In such matters no hard and fast rule can be laid down. Broadly speaking the penalty should not be so lenient as to encourage inefficiency and indiscipline and not so harsh as to impair the moral and efficiency of the Government servant if he is retained in service

In certain specified cases of delinquency, such as cases of unauthorised and fraudulent drawal of T A Bills, the Government decided on 10 8-60 that in all pending cases of malafide intentions on the part of the Officers to over-draw the amount of T A Bills, the punishment should be stoppage of three grade increments with cumulative effect For future, if there be any malafide intention to over-draw the amount of T A Bill the punishment should be removal or dismissal from service Any technical mistake in the drawal of T A should be decided on the individual merit of the case

(iii) The penalties, as indicated above, are divided into two classes, viz major and minor, and a separate procedure is provided for each This has been done in order to meet the constitutional requirements In regard to the two major penalties namely dismissal and removal it is most important to remember that a Government servent cannot be dismissed or removed from service by an authority subordinate to that by which he was actually appointed This constitutional protection cannot be taken away even by statutory rules In order to ascertain who is the 'Appointing authority', it would be advisable to look into the formal document on the basis of which the Government servent holds his appointment If a person appointed by a Head of one Department is permanently transferred to another Department, he can be dismissed or removed only by the Head of the others Department In case of a probationer, it is the confirming authority which becomes the Appointing Authority in respect of his substantive appointment There is nothing to preclude or prevent the authority which is superior to that which has made the appointment to dismiss or remove a person so appointed But the superior authority should normally refrain from doing so as exercise of such a power by the superior authority would take away the right of appeal of the delinquent which is granted to him under the rules Another impor ant point to be noted in this connection is that no delinquent can be removed or dismissed from service with retrospective effect

(iv) Strictly speaking when a Government servant is reduced to a lower service, grade or post or to a lower time scale, the authority ordering the reduction may or may not specify the period for which the reduction would remain effective Where the period is specified, that authority should also state whether on restoration the period of reduction would operate to postpone further increments and if so to what extent The punishment of permanent nature such as permanent reduction to a lower service grade and post, should normally be avoided as they tend to destroy incentives to good work and to demoralize the officer concerned The period of such a reduction must, therefore, be specified

(v) The penalty of compulsory retirement mentioned at Clause (v) of Rule 14 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 has been introduced to provide for cases in which the continuance of a Government ser[illegible]
penalty of remova[illegible]
red to [illegible]
e g Er[illegible]
[illegible] ving moral turpitude. The au[illegible] empowered to impose the penalty of removal or dismissal are competent to impose the penalty of comp[illegible]ent The officers com-
[illegible] ess than two third and
[illegible] n date of his compulsory
[illegible] is distinguishable from

compulsory retirement under Rule 244 (2) of the Rajasthan Service Rules Compulsory retirement under Rule 244 (2) of the Rajasthan Service Rules does not attract the provisions of Article 311 (2) of the Constitution and as such the procedure laid down in the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 for imposing penalty will attract the provisions of Article 311 (2) of the Constitution and the procedure provided in the Rajasthan Civil Services (classification Control & Appeal) Rules 1958 for major penalties shall have to be followed

(vi) While passing orders of dismissal in respect of Government employees on their having been convicted by the Court of law the Disciplinary Authorities should ensure that such orders are given effect to from the date of such order and not from the date of suspension or conviction Where an appeal has been filed against conviction the Disciplinary Authorities should also await the decision of the appellate court before the orders of dismissal are passed

(vii) The order stopping increments should specify whether the stoppage is to be with or without cumulative effect

(viii) The order with holding promotion should mention specifically the duration of its operation i e whether as a permanent measure or temporarily for a specified period

(ix) In case of an order for the recovery from the pay of the delinquent of the pecuniary loss caused to Government the recovery should be effected in convenient instalments commensurate with the delinquent s capacity

(x) **Consultation with the Commission**—The Rajasthan Public Service Commission (Limitation of Functions) Regulations 1951 available at Appendix 8 govern the cases to be referred to the Rajasthan Public Service Commission prior to the imposition of punishment on delinquent Government employees The Executive Instructions regarding procedure to be followed in consulting the Rajasthan Public Service Commission in disciplinary and other cases and also in regard to the acceptance of their advice in cases referred to them are available at Appendix 9

(xi) **Termination of services/reversion of temporary/officiating hands**—(a) There is no legal obligation or necessity to give notice to show cause before making an order for reversion of an officiating Government servant but where unsatisfactory service has to be assigned as a cause it would be expedient and desirable to give an opportunity to show cause

(b) *If termination of service of a temporary Government servant* is made on the ground of misconduct or inefficiency Article 311 (2) of the Constitution would be attracted However the service of a temporary Government

- Accor

mporary

month s

notice Reasons for such termination therefore need not be mentioned It is not necessary for the appointing authority to in titute disciplinary proceed ngs and serve a show cause notice for terminating the services of a temporary Government servant since such termination can be made under Rule 23A of the Rajasthan Service Rules without specifying reasons and without mentioning any misconduct or inefficiency

(c) If any appointment is made on probation service can be terminated owing to unsat sfactory progress during probation and no notice to show cause would be necessary In such cases it is also not necessary to give any reasons for non confirmation.

18 **Special procedure in certain cases**—The procedure laid down

in Rule 16 17 and 18 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 is not to be followed in the following cases —

(i) Where a penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge or

(ii) Where the Disciplinary Authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said Rules e g where the accused is absconding or it is, for other reasons impracticable to communicate with him or

(iii) Where the Governor is satisfied that in the interest of security of the State, it is not expendient to follow such procedure

(iv) As regards the procedure to be followed in taking disciplinary action against a Government servant on account of his having engaged in subversive activities the Rajasthan Civil Services (Safeguarding of National Security) Rules 1954 may be consulted (Appendix 10)

**19 Procedure followed in cases involving retirement of delinquents before initiation or during pendency of disciplinary proceedings** —If a delinquent official retires before the institution or during the pendency of a departmental enquiry no penal action can be taken against him under the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 Action can however be taken against such a delinquent in terms of the provisions of Rule 170 of the Rajasthan Service Rules Action under this Rule is initiated if a pensioner is found in departmental or Judicial proceedings to have been guilty of grave misconduct or to have caused pecuniary loss to the Government by his misconduct or negligence during his service including service rendered on re employment after retirement and it is proposed to withhold or withdraw the pension or any part thereof whether permanently or for a specified period and to order recovery from the pension of the whole or part of any pecuniary loss caused to the Government,

Provided that—

(a) Such departmental proceedings if not instituted while the officer was on duty either before retirement or during re employment,

(i) shall not be instituted save with the sanction of the Governor

(ii) shall be in respect of an event which took place not more than four years before the institution of such proceedings, and

(iii) shall be conducted by such authority and in such place or places as the Governor may direct and in accordance with the procedure applicable to proceedings on which an order of dismissal from service be made

(b) Such judicial proceedings if not instituted while the officer was on duty either before retirement or during re employment shall have been instituted in accordance with sub clause (ii) of clause (a) and

(c) The Rajasthan Public Service Commission shall be consulted before final orders are passed

20 Appeals [illegible] ...ure to be followed in regard to ... been enumerated in detail in ... ssification Control & Appeal)

compulsory retirement under Rule 244 (2) of the Rajasthan Service Rules Compulsory retirement under Rule 244 (2) of the Rajasthan Service Rules does not attract the provisions of Article 311 (2) of the Constitution and, as such, the procedure laid down in the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 for imposing penalty will attract the provisions of Article 311 (2) of the Constitution and the procedure provided in the Rajasthan Civil Services (classification Control & Appeal) Rules 1958 for major penalties shall have to be followed

(vi) While passing orders of dismissal in respect of Government employees on their having been convicted by the Court of law the Disciplinary Authorities should ensure that such orders are given effect to from the date of such order and not from the date of suspension or conviction Where an appeal has been filed against conviction, the Disciplinary Authorities should also await the decision of the appellate court before the orders of dismissal are passed.

(vii) The order stopping increments should specify whether the stoppage is to be with or without cumulative effect

(viii) The order with-holding promotion should mention specifically the duration of its operation i e whether as a permanent measure or temporarily for a specified period

(ix) In case of an order for the recovery from the pay of the delinquent of the pecuniary loss caused to Government, the recovery should be effected in convenient instalments commensurate with the delinquent's capacity.

(x) **Consultation with the Commission**—The Rajasthan Public Service Commission (Limitation of Functions) Regulations, 1951, available at Appendix 8 govern the cases to be referred to the Rajasthan Public Service Commission prior to the imposition of punishment on delinquent Government employees The Executive Instructions regarding procedure to be followed in consulting the Rajasthan Public Service Commission in disciplinary and other cases and also in regard to the acceptance of their advice in cases referred to them are available at Appendix 9.

(xi) **Termination of services/reversion of temporary/officiating hands**—(a) There is no legal obligation or necessity to give notice to show cause before making an order for reversion of an officiating Government servant but where unsatisfactory service has to be assigned as a cause, it would be expedient and desirable to give an opportunity to show cause

(b) If termination of service of a temporary Government servant is made on the ground of misconduct or inefficiency, Article 311 (2) of the Constitution would be attracted However, the service of a temporary Government servant need not, ordinarily, be terminated by way of disciplinary action. According to Rule 23 A of the Rajasthan Service Rules the services of a temporary [illegible]

misconduct or inefficiency

(c) If any appointment is made on probation, service can be terminated owing to unsatisfactory progress during probation and no notice to show cause would be necessary. In such cases it is also not necessary to give any reasons for non-confirmation.

18 **Special procedure in certain cases.**—The procedure laid down

in Rule 16 17 and 18 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 is not to be followed in the following cases —

(i) Where a penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge or

(ii) Where the Disciplinary Authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said Rules e g where the accused is absconding or it is for other reasons impracticable to communicate with him or

(iii) Where the Governor is satisfied that in the interest of security of the State, it is not expendient to *follow such procedure*

(iv) As regards the procedure to be followed in taking disciplinary action against a Goverr ent servant on account of his having engaged in subversive activities the Rajasthan Civil Services (Safeguarding of National Security) Rules 1954 may be consulted (Appendix 10)

**19 Procedure followed in cases involving retirement of delinquents before initiation or during pendency of disciplinary proceedings** —If a delinquent *official retires before the institution or during the* pendency of a departmental enquiry no penal action can be taken against him under the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 Action can *however be taken against such a delinquent in terms of the provis*

rendered on re employment after retirement and it is proposed to withhold or withdraw the pension or any part thereof whether permanently or for a specified period and to order recovery from the pension of the whole *or part of* any pecuniary loss caused to the Government

Provided that—

(a) Such departmental proceedings if not instituted while the officer was on duty either before retirement or during re employment,

(i) shall not be instituted save with the sanction of the Governor

(ii) *shall be* in respect of an event which took place not more than four years before the institution of such proceedings, and

(iii) *shall be* conducted by such authority and in such place or places as the Governor may direct and *in accordance* with the procedure applicable to proceedings on which an order of dismissal from service be made,

(b) Such judicial proceedings if not instituted while the officer was on duty either before *retirement or during* re employment shall have been instituted in accordance w th sub clause (ii) of clause (a) and

(c) The Rajasthan Public *Service* Commission shall be consulted before final orders are passed

**20 Appeals & Reviews** —The *procedure to be followed* in regard to the filing and disposal of appeals and reviews has been enumerated in detail in Parts VI & VII of the Rajasthan Civil Services (*Classification Control & Appeal*) Rules 1958

With a view to ensuring expeditious disposal of appeal cases and to avoid hardship likely to be caused to the appellants due to in ordinate delays a proforma as in Appendix 11 has been prescribed to be carefully completed by the Administrative Department while forwarding the appeal cases to the Rajasthan Public Service Commission

Part VII of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 deals with the powers of Review by the Appellate Authority (Rule 32), State Government (Rule 33) and the Governor (Rule 34)

The above rules specifically authorise the said authorities to review the orders pertaining to disciplinary matters

The power of review can be exercised both suo moto as also on being particularly moved

The authority to which an appeal lies exercises such rights when no appeal has been preferred to it (Rule 32)

The limitation for exercising these powers under Rule 32 for appellate authorities is 6 months from the date of the order proposed to be revised while the limitation for the State Government in case of State services under Rule 33 is 3 months from the date of the order to be reviewed

No limitation has been prescribed under Rule 34 relating to Governor s power to review

Under all the three rules namely 32 33 and 34 it has been provided that penalty already imposed can be enhanced as well but in that case an *opportunity will have to be given again to the del quent official to make any* representation which he may wish to make against such enhanced penalty

All the three rules require consultation with the Public Service Commis sion as a condition precedent for certain orders wherever such a consultation is necessary under the Rajasthan Public Service Commission (Limitation of Functions) Regulat ons 1951 1955 S C 160

It may however be made clear that if the deliquent goes on making review petitions, it will certainly not be necessary to consult the Public Service Commission every time before rejecting such a petition

If cases in which the deliquents have been let off with an inadequate punishment or have been wrongly exonerated come to the notice of the Administrative Departments they should consider the advisibility of reviewing them w th a view to awarding adequate punishment commensurate with the *guilt attributable to the delinquents*

**21 Expeditious Disposal of cases of Disciplinary action** —The necessity and the advisibility of expeditiously disposing of disciplinary cases has from time to time been emphasised by the Government

**22 Departmental Enquiries in Embezzlement cases** —With a view to ensure an expeditious disposal of departmental enquiries relating to embezzlement cases invo ving money/property exceeding Rs 50/ which are pending with the Heads of Departments and as may arise in future the Commissioner for Departmental Enquiries Rajasthan has been invested with the powers of the Head of Department concerned

In cases involving both departmental and legal action to start with a departmental enquiry should be held and it should be finalised and the delin quent punished Meanwhile the investigation of the cases by the Police can proceed but the challan in the court should be put up after the departmental

quents and there is every possibility of the case resulting in conviction by a

Court of Law In such cases prosecution can safely be launched in the firs instance Charges can, however, be framed and the written statement of the [illegible] cases during the pendency of the Court cases so that al [illegible], is to entrust the cas[illegible] Thus in most of th[illegible] cases, a departmental enquiry will be held first and in a few cases prosecution will be launched first. Which course should be followed will depend upon the discretion of the authority competent to dismiss from Government service the delinquents involved in such cases.

23 **Improper conduct of departmental enquiries** -Where on an ap peal/review to the higher authority or as a result of a court decision an order passed on the original side has to be set aside and the appeal/review is accepted bu to non-observance of the prescribed *procedure either by the Enquiry Officer* o the Disciplinary Authority, the defaulting Enquiry Officers/Disciplinary Authoritie would render themselves invariably liable for disciplinary action as laid dow in the Government order referred to above

**Appendix 1** [ Para 4 (i) ]

GOVERNMENT OF RAJASTHAN ..................Department

## ORDER

No ........... Dated ....................

Whereas a disciplinary proceeding against Shri ............................

(Name and designation of the Government servant) is contemplated pending

2 Now, Therefore, the Governor/the undersigned in exercise of th powers conferred by Rule 13 of the Rajasthan Civil Services (Classificatior Control & Appeal) Rules, 1958 hereby places the said Shri ............... ... ........*under suspension with immediate effect.*

Signature & designation of the
Disciplinary Authority.

Copy forwarded to :

(1) All concerned.
(2) A. G , Rajasthan, Jaipur, Shri.............................................. ... should b allowed to draw subsistence allowance @ 1/4 of his pay and the dearnes allowance admissible thereon during the period of his suspension.

GOVERNMENT OF RAJASTHAN

..................Department

## ORDER

No . ......... Dated.......................

Whereas a case against Shri..............................................

(Name and designation of the Government servant) in respect of criminal offence is under investigation/trial.

2 Now, Therefore, the Governor/the undersigned in exercise of th powers conferred by Rule 13 of the Rajasthan Civil Services (Classificatior Control & Appeal) Rules, 1958, hereby places the said Shri........................ under suspension with immediate effect.

## Appendix 2

[Para 4 (vi)]

GOVERNMENT OF RAJASTHAN

.. .. Department

STATEMENT FOR THE YEAR *SHOWING THE* STAGE OF PENDENCY OF THE DEPARTMENTAL ENQUIRY CASES IN RESPECT OF OFFICERS/ OFFICIALS PLACED UNDER SUSPENSION

| S No | Name of Officer/ Official with designation | Whether Gazetted/ Non gazetted | Date of suspension | Date of charge-sheeting |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

| Date when enquiry ordered | Date of receipt of Enquiry Report | Date and purport of decision | State of legal action if any | Reasons for delay | Remarks |
|---|---|---|---|---|---|
| 6 | 7 | 8 | 9 | 10 | 11 |

[Prescribed under Appointments (A III) Department Circular No F1 (3) Apptts (A)/61/Group III dated the 28th November 1961]

*COFIDENTIAL*

## Appendix 3

[ Para (8) ]

GOVERNMENT OF RAJASTHAN

Department

MEMORANDUM

No .. Jaipur the 198

it is proposed to hold ivil Services (Classifica n which the enquiry is proposed to be he ent of Allegat ons and the Charges framed on the basis of the said allegations are specified in the enclosed Statement of Charges

2 Shri... is hereby required to submit to the undersigned receipt of a written statemeht of his defence within a period of 15 days from the date of this commun cation and also —

(a) to state whether he desires to be heard in person;

(b) to furnish the names and addresses of the witnesses, if any, whom he wishes to call in support of his defence,

& (c) to furnish list of documents, if any, which he wishes to produce in support of his defence.

3 *Shri* *is further imformed that if for the purpose of* preparing his defence, he wishes to inspect and take extracts from any official [illegible]

relevant for the purpose or it is against the public interest to allow him access to such records, he will not be permitted to inspect or take extracts from such records

4 *Shri . .. .. is further informed that if the writren* statement of his defence is not received on or before the date specified above, the inquiry is liable to be held exparte

5 The receipt of this memorandum may be acknowledged

Shri . . ......... Signature with designation of the Disciplinary Authority.

**(Enclosure to Appendix 3)**

GOVERNMENT OF RAJASTHAN

................. .. Department

Statement of charges framed against Shri ..............................
(Name and designation of the Government Servant).

**CHARGE I**

[illegible]

**CHARGE II**

That during the aforesaid period and while functioning in the aferesaid office, the said Shri ..... .. . ..... as indicated in para/s ...........of the Statement of Allegations

Singnature & designation of the Disciplinary Authority.

**(Enclosure to Appendix 3)**

GOVERNMENT OF RAJASTHAN

.. .. .. ...... . Department

Statement of allegations on the basis which charges are framed against Shri..................... .. .. ...... .. .. ...

(Name and designation of the Government Servant).

**Allegations Regarding Charge-I-II-III**

Signature & designation of Disciplinary

# Appendix 4

(Para 9)

GOVERNMENT OF RAJASTHAN

- Department

## ORDER

No Dated

Whereas an enquiry under Rule 16 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 is being held against Shri (Name and designation of the Government Servant)

2 And whereas the Governor/the undersigned considers that an Enquiry Officer/a Board of Enquiry should be appointed to enquire into the charges framed against him

3 Now Therefore the Governor/the undersigned hereby appoints Shri , , /Sarvashri (Name and designation of the Enquiry Officer/personnel of a Board of Enquiry) as Enquiry Officer/Board of Enquiry to enquire into the charges framed against the said Shri

Signature & Designation of the Disciplinary Authority

No Dated

Copy forwardedto

1 Shri - (Name and designation of the Government Servant)

2 Shri (Name and designation of the Government Servant)

3 Other concerned if any

# Appendix 4

GOVERNMENT OF RAJASTHAN

Department

## ORDER

No Dated

Whereas an enquiry under Rule 16 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 is being held against Sarvashri (Names and designations of the Government Servants)

2 And whereas the Governor/the undersigned considers that an Enquiry Officer should be appointed to enquire into the charges framed against them

3 Now therefore the Governor/the undersigned under Rule 18 of the Rajasthan Civil Services (Classification Control & Appeal) Rules 1958 hereby appoints Shri (Name and designation of the Enquiry Officer) to conduct a joint enquiry into the charges framed against them The procedure prescribed in Rule 16 of the said Rules shall be followed in the proceedings

Signature and designation of the Disciplinary Authority

No Dated -

Copy forwarded to

1 Shri - (Name and designation of the Enquiry Officer)

2 Shri (Names and designation of the Government Servants)

3 Other concerned if any

# Appendix 4

GOVERNMENT OF RAJASTHAN
..................Department

## ORDER

No ........ Dated............

In continuation of Order/s No ..................Dated ............... the Governor is pleased to appoint/the undersigned appoints Shri........................ (Name and designation)
as Enquiry Officer to enquire into the case/s regarding ............................... left pending by the former Enquiry Officer Shri ...................... ....................

Signature & designation of the
Disciplinary Authority

No ........ Dated ...........

Cpoy forwarded to :—**All Concerned**

# Appendix 5

(Para 13 vii)

[First Published in the Rajasthan Rajpatra, Extraordinary
Part IV-A, dated 30-5-59]

**LAW AND JUDICIAL (A) DEPARTMENT**

NOTIFICATION

Jaipur May 27, 1959

**No F. 4 (56) L J /A/58** —The following Act of the Rajasthan State Legislature received the assent of the Governor on the 24th day of May, 1959, and is published for general information .—

THE RAJASTHAN DISCIPLINARY PROCEEDINGS
(SUMMONING OF WITNESSES AND PRODUCTION
OF DOCUMENTS) ACT, 1959

(Act No. 28 of 1959)

[Received the assent of the Governor on the 24th day of May, 1959]

An Act

to make provisions for compelling the attendance of witnesses and the production of documents in disciplinary proceedings against persons appointed to public services and posts in connection with the affairs of the State of Rajasthan

Be it enacted by the Rajasthan State Legislature in the Tenth Year of the Republic of India as follows .—

1 **Short title extent and commencement** —(1) This Act may be called the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Act, 1959.

(2) It extends to the whole of the State of Rajasthan.

(3) *It shall come into force at once.*

2. **Application of Act** —This Act shall apply to all departmental inquiries against persons appointed to public services and posts in connection with the affairs of the State.

3 **Definitions** —In this Act unless the subject or context otherwise requires .—

(a) *'departmental inquiry' means an inquiry held* against a person under and in accordance with any law or rule made under article 309 or any rule continued under article 313 of the Constitution of India, and

(b) ' inquiring authority means an office, or authority appointed by the State Government or by an officer or authority subordinate to the State Government to hold a departmental inquiry into the conduct *of a person and includes any officer or authority otherwise* entitled as such to hold the inquiry

4 **Powers of inquiring authority to enforce attendance of witnesses and compel production of documents** —(1) An inquirihg authority shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure 1908 (Central Act V of 1908) while trying a suit for summoning witnesses and enforcing their attendance and for compelling the production *of documents*

(2) All processes issued inquiring authority to cause the attendance of witnesses or to compel the production of documents shall be served and executed through the District Judge within whose jurisdiction the witness or other person on whom the process is to be served or execu ed resides

5 **Powers to make rules** —The State of Government may make rules for the purposes of giving effect to the provisions of this Act

# Appendix 5

(Para 13 vii)

[First Published in Rajasthan Rajpatra Part IV C Dated the 8th December 1960]

## THE RAJASTHAN DISCIPLINARY PROCEEDINGS (SUMMONING OF WITNESSES AND PRODUCTION OF DOCUMENTS) RULES 1960

In exercise of the powers conferred by section 5 of the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Act 1959 the State Government, hereby makes the following rules namely —

## RULES

1 **Short title and commencement** —(i) These Rules may be called the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Rules 1960

(ii) They shall come into force at once

2 *Summons and other processes —(i) The °Inquiring Authority* may direct a party in any proceeding under the Act to file a printed/summon/ form in duplicate in the Nagri character duly filled up except in respect of the date of appearance hearing and the date of issue of the summons/notice to be served on the witness intended to be examined by the said party

(ii) In summons ... and the date of issue shall be fille ... °Inquiring Authority or ... of the staff to whom such authority may be delegated shall sign the summons/ notice and also put the date of signature

(iii) The forms shall not be accepted unless filled up in bold clear and legible hand writing The parties shall sign the form in the left bottom corner and will be responsible for the accuracy of the information entered in the forms

(iv) In every process or order issued or made by an °Inquiring Authority, the name of the officer issuing or making it shall be legibly written at the top.

In all cases the °Inquiring Authority or his Office Superintendent or P A or other member of the staff referred to in Rule 2 (ii) above shall sign his name distinctly and legibly No such signature shall be made by means of a stamp

(v) The form or process shall be the one which is prescribed under General Rules (Civil) 1952 for Civil Courts in Rajasthan with such variations and modifications as may be necessary.

(vi) Before issuing a process, the Issuing Officer shall satisfy himself that such description of the person for whom the process is intended or in respect of whom or whose person or property it is issued, is entered therein as will *enable the process server without risk of mistake to identify such person or* property The name father s name, occupation, disrict Mohalla (if any) village or town shall be set forth in the process Where such description does not appear in the application of the person moving the °Inquiring Authority to issue the process or in the record, the orders of the °Inquiring Authority shall forthwith be taken by the issuing officer

(vii) The Provisions contained in Chapter 3 of the General Rules (Civil) 1952 shall so far as may be applied for the summoning of witnesses and documents when the summons are to be issued to a soldier, sailor, airman or public servant

(viii) All processes shall ordinarily be sent for service to the Court of the @ District and Sessions Judge having jurisdiction over the area where the witness resides or from whose custody the document is to be produced

*[No F. 23(93) AA/58/Gr III, dated 21-10-1960 ]*

# Appendix 6

DRAFT FOR SHOW CAUSE NOTICE WHEN THE REPORT OF ENQUIRY OFFICER IS ACCEPTED

[ Para 15 iii (b) ]

GOVERNMENT OF RAJASTHAN

.. ............Department

No ........... . Dated ...............

From ............................

Disciplinary Authority

To

(Cencerned Government Servant)

Ref :— .......... ........................

Sub :—Disciplinary action

(I am directed to say that) the Enquiry Officer appointed to enquire into certain charges framed against you has submitted his report. A copy of the *report is enclosed,*

2. On a careful consideration of the report, and in particular of the conclusions reached by the Enquiry Officer in respect of the charges framed against you (the Governor has provisionally decided) it has provisionally been decided that (here insert the pena[illegible] an opportunity of showing cau[illegible] representation which you may [illegible] taking the proposed action

° Substituted for ' Inquiring Officer "

@ Substituted for Ist Class Magistrate by Appointments (A-III) Deptt No. F. 23(93) AA/58/Gr III dated the 15th June, 1961.

## PART IV-DISCIPLINARY MATTERS

11 It shall not be necessary for the Commission to be consulted

(i) on disciplinary matters, including memorials and petitions relating to such matters when the order is to be passed by an appointing authority other than the Government,

(ii) before drawing up or directing the drawing up of proceedings against any Government servant with a view to disciplinary action

(iii) at any stage of disciplinary proceedings until the case is ready for final dicision ;

(iv) when the order is passed by Government and is—

(a) an order of suspension passed in order to enable an enquiry to be held,

(b) an order relating to the discharge of or reversion of an officer otherwise than as a penalty,

(c) an order imposing any punishment other than dismissal or removal from service or reduction to a lower stage in a time scale or recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of law rules or orders

**Explanation 1** —The discharge—

(a) of a person appointed on probation during or at the end of the period of probation on grounds arising out of the specific conditions of probation,

(b) of a person otherwise than under contract to hold a temporary appointment on the expiration of the period of appointment,

(c) of a person engaged under contract, in accordance with the terms of his contract and

(d) of a person in the services ... who has been found in accordance with the ... or unsuitable for appointment to the services ... be deemed to amount to removal or dismissal for the purposes of this Regulation

**Explanation 2** —The discharge of a ... ted on an adhoc or provisional basis to any of the posts in the ... for reasons of his being found surplus or ... services of the State of Rajasthan shall amoun... case may be,

**Explanation 3** —Reduction to a lower post of a person appointed on an adhoc or provisional basis to any of the posts in the Rajasthan Services consequent on the enforcement of the schemes for the integration of the services of the Covenanting States in the services of the State of Rajasthan shall not be deemed to amount to a penalty within the meaning of this Regulation

**Explanation 4** —The extension of the probationary period on grounds arising out of the specific conditions of probation shall not be deemed to be a penalty within the meaning of this Regulation

12 It shall not be necessary for the Commission to be consulted on any matter on which the Commission has given advice at any previous stage as to the order to be passed and no fresh question has thereafter arisen for determination

x x x x x x

## PART VI—MISCELLANEOUS

13 Notwithstanding anything contained in these regulations the

Government may direct that the Commission shall be consulted in any particular case.

## Appendix 9

[Para 17 (x)]

Executive Instructions Regarding Procedure to be followed in consulting the Rajasthan Public Service Commission in making temporary appointment, in Disciplinary and other cases and also in regard to the acceptance of their advice in cases referred to them.

x x x x x x x

### REFERENCE TO THE COMMISSION WHEN NECESSARY

2 (a) Where a reference to the Commission is obligatory under Article 320 of the Constitution of India read with the Regulations, or under any rule or convention, such reference shall be made in the form of an official letter addressed to the Secretary to the Commission.

x x x x x x x

4 (c) References to the Commission regarding disciplinary matters including review and memorials in respect of State Services, where powers of appointment have not been delegated to any other authority, should be made through the State Government in the Appointments Department

(d) Reference to the Commission regarding disciplinary cases i.e. appeals, review and memorials etc in respect of Subordinate Services and State Services, where Government are not the appointing authority, should be made by the Administrative Departments concerned of the State Government.

x x x x x x

### DISCIPLINARY CASES

17. When a disciplinary case in which it is obligatory to consult the Commission comes up for consideration, it is to be carefully seen whether the papers are complete and in order, and in cases relating to disciplinary enquiries, whether the sta...
relating to such disciplinary enquiries have
be returned to the autho-
that they should be duly
and no examination of the
merits of the case should be made at that stage. Such an exam...
only be undertaken after the case
order to see whether any exceptiona...
a departure in any respect from th...
... where it is
reasons therefor should be stated and the
of further reconsideration of their views

18 When such a reference is made to the Commission, all the relevant records relating to an enquiry, appeal or memorials, as the case may be, should be properly arranged and forwarded to the Com...
the Commission should be made on a pro...
Department...

... the case may have been discussed should, in no case, be forwarded to the Public Service Commission. In any case in which the advice of the Commission is sought in regard to disciplinary matters, the letter containing the findings of the Commission shall form part of the record of the case and shall be communicated to the officer or officers concerned along with the orders of Government except such portions thereof as may contain any structures on any of the Departments of Government.

x x x x x

20 Advice given by the Commission in any matter on a reference having been made to it should be accepted save in exceptional circumstances Where it is felt in any particular case that the advice of the Commission should not be accepted the Commission should be intimated reasons for the same to enable them to reconsider their advice If on receipt of the the further advice of the Commission it is proposed not to accept the same the matter together with reasons for not accepting the advice of the Commission shall be referred to the Appointments Department for obtaining the decision of the Government

21 The Commission should be informed of the final action taken on their recommendation in all cases Ordinarily an endorsement forwarding copies of communications in which orders are conveyed recommendations are made or other action taken will suffice

x x x x x x

BREACH OF PROCEDURE AND REGULATIONS ETC

24 Government view with grave concern that insp te of clear instructions issued from time to time gross irregularities continue to be committed by the appointing or disciplinary authorities. Government take a serious view of such irregularities A periodical review is being made relating to officers—

x x x x x x

(f) who have not followed the other instructions laid down herein

If defaults still continue Government have decided that defaulting officers may be censured in the first instance and then grade increment may be withheld if a second instance comes to the notice of the Government Severe penalties may have to be imposed thereafter

Appendix 10 [Para 18 (iv)]

THE RAJASTHAN CIVIL SERVICES (SAFE GUARDING OF NATIONAL SECURITY) RULES 1954

*In exercise of powers conferred by the proviso to Article* 309 of the Constitution of India His Highness the Rajpramukh of Rajasthan hereby makes the following Rules namely —

1 (1) These Rules may be called the Rajasthan Civil Services (Safe guarding of National Security) Rules 1954

(2) They apply to all persons serving in connection with the affairs of the State of Rajasthan

2 (a) *Government servant* means any person to whom these Rules apply

(b) Competent Authority' means—

(1) in relation to a Government servant appointed by the Head of Department or by an authority *subord nate* to the Head of a Department the Head of the Department and

(2) in relation to any other Government servant the Raj pramukh

3 Where the Rajpramukh is of opinion that a Government servant is engaged in or is reasonably su ... or is associated with others in ... e public service is on that acc ... t pramukh may make an orde ... from service

4 Before an order under Rule 3 is made—

(a) the competent authority shall by notice in writing inform the

Government servant of the action proposed to be taken in regard to him and give him an opportunity to make to the Rajpramukh, within such period as may be specified in the notice, representation in writing against that action, and

(b) the Rajpramukh shall take into consideration the representation, if any, so made by him

5 Where action under these Rules is proposed to be taken in regard to a Government servant, the Competent Authority shall place the Government servant under suspension,

Provided that if the Government so wishes, the competent authority shall before placing him under suspension, permit him to proceed on such leave as may then be admissible to him

6 Nothing contained in the Rajasthan Civil Services (Classification, Control and Appeal) Rules shall apply to or in respect of any action taken or proposed to be taken under these rules

7 It shall not be necessary for the Rajpramukh to consult the Rajasthan Public Service Commission in respect of any order passed under these rules

8 Any person compulsorily retired from service under Rule 3 shall be entitled to such Compensation Pension, Gratuity or Provident Fund benefits as would have been admissible to him under the rules applicable to his service or post on the date of such retirement if he had been discharged from service due to the abolition of his post without any alternative suitable employment being provided

[ No F. 5(45)G A /A/53 dated 4-8-1954 ].

# Appendix 11

(Para 20)

PRESCRIBED UNDER APPOINTMENTS (A-III) DEPARTMENT MEMO No F. 16(7) APPTTS (A)/60/GROUP III,

Dated the 31st July, 1961,

Enclosure to letter No .. . ........................ Dated. ........ ...............

ADDRESSED TO THE SECRETARY RAJASTHAN PUBLIC SERVICE COMMISSION, AJMER,

## PROFORMA FOR APPEAL/REVIEW CASES

1 Name of the Government Servant
2 Designation before the punishment
3 Designation after the punishment
4 Whether it is First appeal or Second appeal or revision or review.
5 Disciplinary authority.
6 Appellate autho ity.
7 Date of punishment
8 Date on which appeal/review/revision was filed
9 It is certified that —

(a)... .. . . . .... . (Designation of the authority) had ordered a regular departmental enquiry under the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 and the *authority* was competent to order it and to appoint the enquiring officer under Rule 16(4) The order for regular departmental enquiry is at page ........., ....of file No..............

(b) The statement of charges and allegations were served on the delinquent officer/official under the orders of the competent authority and these are available at pages file No ...

(c) The *Government servant was permitted to* inspect and to take extract from such official records for which he had applied except the following for reasons ...

(d) The enquiry officer was different from the officer who held he preliminary enquiry

(e) The Officer s/Official s written statement has been duly received after allowing him/her sufficient and reasonable time to prepare it and is at page file No The statement of witnesses examined in his presence are available at pages file No The Officer/Official was given full opportunity to be heard in person by the enquiring officer

(f) The Statement of the officer/official and of defence witness prod uced by him/her are available at pages File No The report of the enquiring officer is available at pages file No

(g) The punishment has been imposed on the Government servant by the competent authority and the order passed has been communicated to him (The Government servant)

(h) The appeal/revision is within time or if time barred the delay has been condoned under proviso to Rule 25 of the Classification Control & Appeal Rules 1958 vide Order at page dated

**Supplementory points where major penalty has been imposed**

(1) A copy of the report of the enquiry off cer together with the observations of the disciplinary authority were served on the Government servant along with the show cause notice under Rule 16(10) (c) of the Rajasthan Civil Services (*Classif cation Control and Appeal) Rules as required by Article* 311(2) of the Classification as per p p file No

(2) Where the discipl nary autority had disagreed with the findings of the enquiry officer brief reasons for disagreement were commun cafed vide page No f le No

**Miscellaneous**

(a) The Government servant has been apprised of the fact that his past record of his service which is unfavourable to him would be taken into con sideration in determining the quantum of punishment

(b) No punishment has been infl cted on the Government servant for acts of commis on and omission not specified in the charge sheet

(c) The record relat ng to each of the items noted above has been got together and the files prepared in the offices concerned and all the relevant papers are be ng sent to the Rajasthan Publ c Service Commission alongwith the appl cation for appeal/review/rev sion for adv ce

**Article 311—Dismissal removal or raduction in rank of persons employed in Civil Capacities under the Union or a State—**

(1) No person who is a member of a Civil Service of the Union or an all India Service or a Civil Service of a State or holds a Civ l post under the Union or a *State shall be dismissed or removed by an* **authority subordinata to that by which he was appointed**

(2) No such person as aforesaid shall be dismissed or removed or reduced in rank except after an enquiry in which he has been

informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges[1][XXX]

[2][Provided that where it is proposed after such inquiry to impose upon him any such penalty such penalty may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed

Provided further that this clause shall not apply]—

(a) Where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his convict on on a criminal charge or

(b) Where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason to be recor ded by that authority in writ ng it is not reasonably practicable to hold such enquiry or

(c) Where the President or the Governor as the case may be is satisfied that in the interest of the security of the State it is not expe dient to hold such enquiry

(3) If in respect of any such person as aforesaid a question arises whether it is reasonably practicable to hold such inquiry as is refe rred to in clause (2) the decision thereon of the authority empo wered to dism ss or remove such person or to reduce him in rank shall be final

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1 The following words deleted at the end by the Constitution (Forty Second Amendment) Act 1976—

and where it is proposed after such inquiry to impose on h m any such penalty until he has been given a *reasona ble* opportunity of making representation on the penalty proposed but only on the bas s of the evidence adduced during such inquiry

2 Substituted by the Constitution (Forty Second Amendment) Act, 1976

death shall send an intimation to the Director of Insurance in the Form No 6 alongwith a certificate from the Accountant General in respect of house building advance and the Collector of the District in respect of loan under LIGH/MIGH Scheme indicating the amount of House Building Advance/and or loan under LIGH/MIGH Scheme outstanding against the loanee on the date of death

(ii) On receipt of an intimation about outstanding amount of advance loan from the authority referred to in sub-rule 2(i) of this rule the Director shall after examining the account of deceased loanee, arrange to pay the outstanding balance of advance/loan out of the Fund by carrying out necessary adjustment in Government accounts *He would, however, ensure that the complete recovery on account of contributions towards Fund has been made before finalising such claims* The outstanding contribution if any, shall be recoverable from the last claim of the deceased Government servant.

10 ***Charge on the Fund*** —(1) *If a conveyance becomes a complete* wreck or damaged to the extent that it has to be sold as scrap the wrecked or [illegible] -perty of the Government and the [illegible] the sale price thereof credited to [illegible] of advance/loan if any against the Government/Bank will be a charge on the Fund If, however the sale proceeds exceeds the outstanding loan and interest thereon, the balance shall be refunded to the Government servant

(2) (i) If a house built with the aid of House Building Advance only is *completely destroyed by fire or lightening the debris shall become the property* of the Government and the Government shall auction the debris and the sale proceeds thereof credited to the Fund The balance of outstanding amount of House Building Advance sanctioned under House Building Advance rules if any against the Government/Bank will be a charge on the Fund If however, the sale proceeds exceeds the outstanding loan and interest thereon, the balance shall be refunded to the Government servant

[1](ii) ' In the event of death of a loanee while in service before complete re payment of house building advance (including advance for repairs or additions and alternations)/loan taken for purchase or construction or repairs or additions and alterations of a house, the balance of outstanding amount of House Building Advance (including advance for repairs or additions and alternations)/loan, if any together with outstanding interest on advance(s)/loan against the Government/Bank shall be a charge on the Fund The amount of overdue instalments of principal and interest of advance (s)/loan remaining unpaid on the date of death of the loanee shall not be a charge on the Fund '

[1](Substituted vide F 1 (6) F.D (Gr-2) 70 dated 16-2-1978 & 17-7-1978 effective from 1-4-1978)

**Note .— From Next Page, please see the Forms of Rajasthan Advance Hazard Fund Rules**

## R A H F FORM No 1

### Intimation Memo in respect of payment of Conveyance Advance/Loan

No Dated

1 Name of the Government servant to whom advance loan is granted

2 Designation

3 Department 4 No & date of sanction

5 Amount of conveyance advance/loan sanction

6 Date of drawal of advance or payment of loan ...

7 (i) Amount drawn/paid .. ..

(ii) Total number of instalments in which the amount of advance/loan is repayable .. ..

(iii) Amount of monthly instalments of principal

8 Date of purchase of vehicle

9 (i) make of Vehicle (ii) Model

10 Cost of the vehicle given by Government servant ..

11 Outstanding balance of Advance/Loan ..

Certified that the above Government servant has opted for contribution to the Advance Hazard Fund and the first recovery of contribution shall be effected from pay bill for March 19 .. ...

Signature of the Government Servant

Signature of the Drawing Officer/Manager/Agent Bank

## R A H F FORM No 2

### Intimation Memo in respect of House Building Advance/Loan under LIGH/MIGH Schemes

1 Name of the Government servant to whom Advance/Loan is granted ..

2 Designation 3 Department

4 No & Date of sanction ..

5 Total amount of House Building Advance/Loan under LIGH/MIGH *sanctioned*

6 Date of payment of Advance & Loan

| | Instalments 1st | 2nd | 3rd | Total amount paid | Date of payment of last instalment |
|---|---|---|---|---|---|
| (i) House Building Advance | | | | | |
| (ii) Advance for repairs additions and alterations (Added vide F D order No F 1(6)/F D (Gr 2) 70 dt 16 2-78 & effective from 1-4 78) | | | | | |
| (iii) LIGH/ MIGH | | | | | |

| 7. | Total amount paid | Total No. of instalments of principal in which amount of advance/loan is repayable | Amount of monthly instalments or principal |
|---|---|---|---|

(i) House Building Advance
(ii) Loan under LIGH/MIGH Scheme

8. (i) Date of completion of the house.
(ii) Location of house & House No.

9 Type of construction :

*1(1) Material used :—
(i) Stone and/or Brick Masonry.
(ii) Stone slab roof or R C C roof
(iii) Partly stone or brick masonry and partly wood or bamboo used
(iv) Stone and/or brick masonry with wooden partitions.

10 Cost of the house as given by Govt. servant

Signature of the Government servant

Signature of Advance/Loan Sanctioning Authority/Manager/Agent Bank

(*Note :— 1. Strike out whichever is not applicable
2 Doors windows including frame need not be included even if they are of wood )

## R.A.H.F. Form No. 3

**Schedule of recoveries towards Rajasthan Advance Hazard Fund—In case of Conveyance**

1 Name of the Government servant with designation . ...... .. .. . .... . ...
2 Name of the Office . .... ... .... .. ... .... .. . . . ... . . ... ......
3 Classification . . ... .. . ....... ... ..... Month .....

| Nature of loan/advance | Amount advanced/loaned | Amount recovered upto 31st March. |
|---|---|---|
| 1 | 2 | 3 |
| | | |

| Balance outstanding on 31st March | Contribution | Remark |
|---|---|---|
| 4 | 5 | 6 |

Certified that Shri .. .. . .. . .. .. ... . ..... . has opted for contribution towards Advance Hazard Fund/had previously opted for insurance of vehicle but has not renewed his policy after the expiry of the terms of insurance and hence recovery towards Fund has been made

Signature
Designation

## R.A.H.F. Form No. 4

**Schedule of recoveries towards Rajasthan Advance Hazard Fund—In case of House.**

R.A.H.F. A/C No....................

1. Name of Government servant with designation..........................................
2. Name of the Office ..........................................................
3. Classification . .. .... ............ ............ .........Month......................

| Nature of Advance/ Loan | Amount Advanced/Loaned | Amount recovered upto 31st March |
|---|---|---|
| 1 | 2 | 3 |

| Balance outstanding on 31st March | Contribution @——— per hundred on amount shown in Col. 5 | Remarks |
|---|---|---|
| 4 | 5 | 6 |

House Building Advance including advance for repairs or additions and alterations. (Added Vide F D. Order No. F.1 (6) /F.D. (Gr.2) 70 dated 16-2-78 effective from 1-4-78

Signature
Designation

Loan LIGH/MIGH

## R.A H.F. Form No. 5

**Accident Report in case of Conveyance.**

1. Name ..... .......... ..............2. Designation ..................................
3. Department .............. ...4. Vehicle Registration No ......................
5. Make .............................. 6. Amount of Conveyance Advance/loan taken .......... ....... . 7. Balance of Advance/loan outstanding............
8. Date and place of accident .. ...................................................
9. Extent of damage to the Vehicle ..................................................
10. Details of the accident attested...................................................

Signature of the Head of office/ Head of Department
Designation with date.

Signature of the Government servant.

## R.A.H.F. Form No. 6

**Accident Report in Case of House**

R.A H.F. A/c. No.........................

1. Name............................ 2. Designation... ...................................
3. Department........................ ....... 4. Location of House and House No. ......... .. . ..... ..... ..... .. 5. Amount of House Building Advance/Loan under LIGH/MIGH Scheme taken... ...... ..................................
6. Balance of House Building Advance/Loan under LIGH/MIGH Scheme outstanding .... .. .... ..... ..................................................
7. Date of occurence of fire/lightening..........................................
8. Extent of damage of House...................................................
9. Cause of fire/lightening ......................10. Details of accident...............
11. Date of death of loanee while in service........................................

| | |
|---|---|
| Attested<br>Signature of the Head of Office/Head of Department<br>Designation with date | Signatute of Government servant/Head of Office/ Department (in case of death) |

## R A H F Form No 7

1 Account Number ..

2 Name of the Government servant

3 Des gnation/Department

4 Cadre of service to which he belongs

5 *Date of the completion of the House*

| *Amount of House* Building Advance | *Amount of House* build ng advance for repairs or additions and alterations ° | Amount of loan under LIGH/MIGH Schemes | *Total Amount* of column No 2 & 3 |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

| Monthly instalment of princ pal of *House Building* Advance | Yearly instalment of principol of *LIGH/MIGH Loan* | Balance of House Bu ld ng/LIGH/MIGH loan outstanding upto 31st March Amount | Year |
|---|---|---|---|
| 5 | 6 | 7 | 8 |

| Contributions recovered on balance shown in Column | Name of Treasury intimating recovery | Remarks |
|---|---|---|
| 9 | 10 | 11 |

°(Inserted vide F 1 (6) F D (Gr 2) 70 dated 16 2 1978 & made effective fron 1 4 1978)

## R A H F Form No 8

Advance Hazard Fund Recovery adjustment Register House

| R A H F A/c No | Name of the Govt servant | Designation | Outstanding balance of loan on 31st March *H B A* | *LIGH/* MIGH loan |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

| Total balance out standing on 31st March | Contribution pa d | Remarks |
|---|---|---|
| 6 | 7 | 8 |

## R A H F Form No 9

Advance Hazard Fund Recovery Adjustment Register Conveyance

| Nature of Advance/ Loan | Name of the Gove nment servant | Designation | Balance outstanding on 31st March | Contribu tion paid | Remarks |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |

# General Provident Fund (Raj. Services)

FINANCE DEPARTMENT (II)

Jaipur 1st December 1953

[illegible] -stitute with effect from [illegible] to be called the General [illegible] the provisions of the [illegible] persons in the service [illegible] the State Government excepting members of class IV services and in pursuance of rule 21 of the Rajasthan Service Rules to prescribe the following rules in relation to the said Fund namely —

## GENERAL PROVIDENT FUND (RAJASTHAN SERVICES) RULES

**Short Title and Definitions**

1 (a) These rules may be called the General Provident Fund (Rajasthan Services) Rules

(b) They shall come into force on 1st April 1954

2 (1) In these rules—

(a) Account Officer means such officer as may be appointed in this behalf by the Comptroller and Auditor General of India

(b) Except where otherwise expressly provided 'emoluments means pay leave salary or subsistence grant as defined in the Service Rules and includes any remuneration of the nature of pay received in respect of foreign service

(c) Family means—

(i) in the case of a male subscriber the wife or wives and children of a subscriber and the widow or widows and children of a deceased son of the subscriber Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber s family in matters to which these rules relate unless the subscriber subsequently indicates by express notification in writing to the Account Officer that she shall continue to be so regarded,

Note — In a case [illegible] child in adoption to other pe[illegible] adoption is legally recognise[illegible] a child should for the purpose of these rules be considered as excluded from the family of the person who has given the child in adoption

(ii) in the case of a women subscriber the husband and children of subscriber and the widow or widows and children of a deceased son of a subscriber

Provided that if a subscriber by notification in writing to the Account Officer expresses her desire to exclude her husband from her family the husband shall thenceforth be deemed to be no longer a member of the subscriber s family in matters to which these rules relate unless the subscriber subsequently cancels formally in writing her notification excluding him

Note I.—'Children' means legitimate children.

Note II —An adopted child shall be considered to be a child when the Account Officer, or if any doubt arises in the mind of the Account Officer, the Legal Remembrancer to the Government of Rajasthan is satisfied that under the personal law of the subscriber, adoption is legally *recognised as conferring* the status of a natural child, but in this case only.

(d) "Fund" means the General Provident Fund.

(e) "Leave" means any variety of leave recognised by the Rajasthan Service Rules.

(f) "Year" means a financial year

(2) Any other expression used in these Rules which is defined either in the Provident Fund Act, (XIX of 1925) or in the Rajasthan Service Rules is used in the sense therein defined

## Constitution of the Fund

3 The Fund shall be maintained in rupees.

4 All Government servants in such permanent pensionable and non-pensionable service (including probationery service) as belong to any of the services other than Class IV service, as defined in rules 7 8 9 and 10 of Rajasthan Civil Services (Classification Control and Appeal) Rules 1958, whose conditions of service the Rajpramukh is competent to determine, shall be eligible to join the Fund

[illegible] d or permitted to [illegible] join or continue [illegible] ibscribe to such a Fund

Note —Subject to the provisions of this rule a Government servant in temporary or officiating service is eligible to join the Fund as soon as the head of the office certifies that he is likely to become permanent

5 On the constitution of this Fund all existing Provident Funds of [illegible] Ru'es

6 All eligible Government servants may elect to join the Fund.

Note.—A subscriber who joins the fund at a later date cannot be allowed to subscribe from the date of institution of the Fund He may begin to pay subscription only from the date of joining the Fund No arrear subscription can be permitted

7. (i) A Government servant who exercises the option allowed by Rule 6 may discontinue subscribing to the Fund at any time, but his right of renewing subscription shall lapse if he discontinues subscribing, except when on leave, more than three times

(ii) If a subscriber is reduced to the position of a Class IV servant he shall cease to subscribe to the Fund till he is reinstated in superior service

(iii) If a Government servant's right to resume subscription lapses under sub-rule (i) of this rule or if he ceases to subscribe under sub-rule (ii) he

shall nevertheless retain his other rights and liabilities as a subscriber to the Fund and no final withdrawal of his deposits shall be allowed except on the happening of one or other of the contingencies provided for in Rule 17, 18 and 19

## Nominations

8 (1) The Account Officer shall, as soon as may be after a subscriber joins the Fund require him to make a nomination conferring the right to receive the amount that may stand to his credit in the Fund in the event of his death before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made

(2) A subscriber who at the time of joining the Fund has a family shall send to the Account Officer a nomination in the Form set forth in the First Schedule in favour of one or more members of his family

(3) A subscriber who has no family shall similarly nominate a person or persons in the Form set forth in the Second Schedule.

Provided that a nomination made under this sub rule shall be deemed to have been duly made in accordance with these rules only for so long as the subscriber has no family

(4) If a subscriber at any time acquires a family he shall send to the Account Officer a nomination as provided in sub rule (2), and if he has under sub rule (3) nominated any person other than a member of his family he shall formally cancel the previous nomination

(5) A subscriber may in his nomination distribute the amount that may stand to his credit in the Fund amongst his nominess at his own discretion

(6) A nomination may be cancelled by a subscriber provided that it is replaced at the same time by any other nomination which is permitted to be made under this Rule

(7) A nomination shall take effect to the extent that it is valid on the date on which it is received by the Account Officer

(8) On the death of a nominee a subscriber shall make a fresh nomination

(9) Nothing in this rule shall be deemed to invalidate or to require the replacement by a nomination thereunder of a nomination made before these rules came into force under the corresponding rule heretofore in force in the *integrating units* of Rajasthan

## Subscribers' Accounts

(9) An account shall be prepared in the name of each subscriber and show the amount of his subscriptions with interest thereon calculated as presc-*ribed in sub-rule* (2) of Rule 14

## Conditions and Rates of Subscriptions

10 (1) Except as provided in Rule 7 a subscriber shall subscribe monthly to the Fund except during a period of suspension.

Provided that a subscriber may, at his option elect not to subscribe during leave

*Provided* further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying *in one sum* or in instalments any sum not exceeding the maximum amount of arrear subscr-iptions permissible for that period

(2) The subscriber shall intimate his election not to subscribe during leave in the following manner—

(a) if he is an officer who draws his own pay bills by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave

(b) if he is not an officer who draws his own pay bills by written communication to the head of his office before he proceeds on leave Failure to make due and timely intimation shall be deemed to constitute an election to subscribe

The option of a subscriber intimated under this sub rule shall be final

(3) A subscriber who has under rule 18 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless and until he returns to duty

11 (1) *The amount of subscription shall be fixed by the subscriber* himself subject to the following conditions —

(a) It shall be expressed in whole rupees

(b) It may be any sum so expressed not less than $6\frac{1}{4}$ per cent of his emoluments (i e one anna in the rupee) and not more than 15 5/8 per cent (i e $2\frac{1}{2}$ annas in the rupee)

Note—The Upper limit of annas $2\frac{1}{2}$ in the rupee has been relaxed till issue of *further orders of Government The subscribers may, therefore pay* to Fund at any rate desired by them subject to the minimum of one anna in the rupee

(2) For the purposes of sub rule (1) the emoluments of the subscriber shall be—

(a) *in the case of subscriber who was in Government service* on the 31st March of the preceding year the emoluments to which he was entitled on the date provided as follows —

(i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty

(ii) if the subscriber was on deputation out of India on the said date *or was on leave on the said date* ... and has elected to subscribe during ... be the emoluments to which he ... *been on duty in India*

(iii) if the subscriber joined the Fund for the first time under the operation of Rule 6 on a day subsequent to the said date his emoluments shall be the emoluments to which he was entitled on such subsequent date

(b) *In the case of a subscriber* who was not in Government service on the 31st March of the preceding year the emoluments to which he was entitled on the first day of his service or if he joined the Fund for the first time *under the operation* of Rule 6 on a date subsequent to the first day of his service the emoluments to which he was entitled on such subsequent date

(3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year *in the following manner* —

(a) if he was on duty on the 31st March of the preceding year by the deduction which he makes in this behalf from his pay bill for that month

(b) if he was on leave on the 31st March, of the preceding year and elected [illegible] leave, or was under suspension on that [illegible] in this behalf from his first pay bill after

(c) if he has entered Government service for the first time during the year or joins the Fund for the first time by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund,

(d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month,

(e) if he was on foreign service on the 31st March of the preceding year by the amount credited by him into the treasury on account of subscription for the month of April, in the current year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year,

The amount of subscription originally fixed by a subscriber is not to be varied during the course of the year on account of any increase or decrease in his rate of pay which may ultimately be found to be due in respect of the 31st March preceding

Provided that if a subscriber is on duty for a part of a month and on leave for the remainder of that month and if he has elected not to subscribe during leave the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

12 When a subscriber is transferred to foreign service or *sent on* deputation out of India he shall remain subject to the Rules of the Fund in the same manner as if he were not so transferred or sent on deputation

**Realisation of Subscriptions**

13 (1) When emoluments are drawn from a Government treasury, recovery of subscriptions on account of these emoluments *and of the* principal and interest of advances shall be made from the emoluments themselves

(2) When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Account Officer

**Interest**

14 (1) Subject to *the provisions* of sub rule (5) below Government shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year *according to the method of calculation* prescribed from time to time by the Government

(2) Interest shall be credited with effect from last day in each year in the following manner —

(i) on the amount at the credit of a subscriber on the last day of the preceding year less any sums *withdrawn during* the current year, interest for twelve months

(ii) on sums withdrawn during the current year—interest from the beginning of the current year upto the last day of month preceding the month of withdrawal

(iii) on all sums credited to *the subscriber s* accounts after the last day of the preceding year—interest from the date of deposit up to the end of the current year,

(iv) the total amount of interest shall be rounded to the nearest whole rupee (eight annas counting as the next higher rupee)

Provided that when the amount standing at the credit of a subscriber has become payable interest shall thereupon be credited under this sub rule in respect only of the period from the beginning of the current year or from the date of deposit as the case may be up to the date on which the amount standing at the credit of subscriber became payable

(3) In this rule the date of deposit shall in the case of a recovery from emoluments be deemed to be the first day of the month in which it is recovered and in the case of an amount forwarded by the subscriber shall be deemed to be the first day of month of receipt if it is received by the Account Officer before the fifth day of that month but if it is received on or after the fifth day of that month the first day of the next succeeding month

(4) In addit on to any amount to be paid under rules 17 18 or 19 interest thereupon up to the end of the month preceding that in which the payment is made or up to the end of the sixth month after the month in wh ch such amount became payable whichever of these periods be less shall be payable to the person to whom such amount is to be paid

Provided that where the Account Officer has intimated to that person (or his agent) a date on which he is prepared to make payment in cash or has posted a cheque in payment to that person interst shall be payable only up to the end of the month preceding the date so intimated or the date of post ng the cheque as the case may be

(5) The interest on amounts which under sub rule (2) of rule 14 sub rule (5) of rule 16 rule 17 or 18 are replaced at the credit of the subscriber in the Fund shall be calculated at such rates as may be successively prescribed under sub rule (1) of this rule and so far as may be in the manner described in th s rule

Note —(1) When a subscriber is dismissed from the service of Government but has appealed against his removal the balance at his credit shall not be pa d over to him until final orders confirming the decision are passed on h s appeal Interest shall however be paid on the balance upto the end of the month preceding that in which such orders are passed

Note —(2) No interest shall be allowed on the amount recovered on account of the G P F subscriptions in excess of the actual amount due

**Advances from the Fund**

15 (1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the appropriate authority specified in the Third Schedule subject to the following condit ons —

(a) No advance shall be granted unless the sanct on ng authority is satisfied that the applicant s pecun ary circumstances justify t and that it will be expended on the following object or objects and not c herwise —

(i) to pay expenses incurred in connection with the p olonged illness of the applicant or any person actually dependent on him

(ii) to pay for the overseas passsage for reasons of health or education of the applicant or any person actually dependent on h m

(iii) to pay obligatory expenses on a scale appropriate to the appl cant s status in connection with marriages funerals or ce emonies which by his relig on it is incumbent on him to perform

(b) The sanctioning authority shall record in writing its reasons for granting the advance

Provided that if the reason is of a confidential nature it may be communicated to the Account Officer personally and/or confidentially;

(c) An advance shall not except for special reasons—

(i) exceed three month's pay or half the amount at the credit of the subscriber in the Fund, whichever is less, or

(ii) unless the amount already advanced does not exceed two-thirds of the amount admissible under sub-rule (c) (i), be granted until at least twelve months after the final repayment of all previous advances together with interest thereon.

(2) In fixing the amount of an advance, the sanctioning authority shall pay due regard to the amount at the credit of the subscriber in the Fund

Note .—See also Appendix 'B'.

16 (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects, or in any case more than twentyfour A subscriber may, at his option, repay more than one instalments in a month Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments

(2) Recovery shall be made in the manner prescribed in rule 13 for the realisation of subscriptions, and shall commence, on the first occasion after the advance is made on which the subscriber draws pay, or remuneration on foreign service for a full month Recovery shall not be made except with the subscriber's consent while he is on leave or in receipt of subsistence grant and may be postponed on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

(3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery

(4) (a) After the principal of the advance has been fully re-paid interest shall be paid thereon at the rate of one-fifth per cent of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal in accordance with the formula.—

$$\frac{\text{Principal} \times \text{Time} \times \text{Rate}}{100}$$

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal, but if the period referred to in [illegible] r so desires be [illegible] covery shall be [illegible] nearest rupee

(5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed the whole or balance of the amount withdrawn shall, with interest at the rate provided in rule 14, forthwith be re-paid by the subscriber to the Fund or in default be ordedred by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule (1) of rule 15

(6) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund.

## Final withdrawal of accumulations in the Fund

17 When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service shall if required to do so by Government repay any amount paid to him from the Fund in pursuance of this rule with interest thereon at tha rate provided in rule 14 in the manner prov ded in the proviso to rule 18 The amount so repaid shall be credited to this account in the Fund

18 When a subscriber—

(a) has proceeded on leave preparatory to retirement or if he is employed in a vacation department on leave preparatory to retirement combined with vacation or

(b) while on leave has been permitted to retire or been declared by a competent medical authority to be unfit for further service the amount standing to his credit in the Fund shall upon application made by him in that behalf to the Account Officer, become payable to the subscriber

Provided that the subscriber, if he returns to duty shall if required to do so by Government repay to the Fund for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in rule 14 in cash or securities or partly in cash and partly in securities by instalments or otherwise by recovery from his emoluments or otherwise as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule (1) of rule 15

19 On the death of a subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made—

(i) When the subscriber leaves a family—

(a) If a nomination made by the subscriber in accordance with the prvisions of rule 8 or of the corresponding rule heretofore in force in favour of a member or members of his family subsists the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination,

(b) If no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund the whole amount or the part thereof to which the nominatio does not relate as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons othet than a member or members of his family, become payable to the members of his family in equal shares

' Note:—A posthumous child of the deceased or the posthumous child of a son of the deceased who had he been alive would have been entitled to a share of the sum at the subscriber s credit shall be treated as a member of the family provided the existence (en vente de sa mere) of the posthumous child is brought to the notice of the disbursing officer

Provided that no share shall be payable to—

(1) sons who have attained legal majority,

(2) sons of a deceased son who have attained legal majority;

(3) married daughters whose husbands are alive;

(4) married daughters of a deceased son whose husbands are alive;

if there is any member of the family other then those specified in clauses (1), (2), (3) and (4) :

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 8 or of the corresponding rule heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination

Note :—See also Appendix 'C'.

20 (1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Account Officer to make payment, as provided in section 4 of the Provident Funds Act, 1925.

(2) If the person to whom, under these rules, any amount is to be paid, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunancy Act, 1912, the payment will be made to such manager and not to the lunatic.

(3) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Account Officer Payment of amounts withdrawn shall be made in India only The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

Note :—When the amount standing to the credit of a subscriber has become payable under rules 17, 18 or 19 the Account Off[illegible] prompt payment of that portion of the a[illegible] scriber in regard to which there is [illegible] adjusted as soon after as may be

21 (a) If a Government servant who is a sudscriber to any other Government Provident Fund which is a non-contributory Provident Fund, is permanently transferred to pensionable service *under Rajasthan* Government the amount of subscriptions together with interest thereon, standing to his credit in such other fund at the date of transfer shall *with the consent* of the other Government concerned, be transferred to his credit in the Fund

(b) If a Government servant who is a subscriber to the Railway Provident Fund or the Contributory Provident *Fund* is permanently transferred to pensionable service under the Rajasthan Government and elects or is required to earn pension in respect of such pensionable service—

(i) the amount of subscriptions with interest thereon standing to his credit in such Contributory Provident Fund at the date of transfer shall with the consent of the other Government, if any, be tranferred to his credit in the Fund,

(ii) the amount of *Government* contributions, with interest thereon, standing to his credit in such Contributory Provident Fund shall with the consent of the other Government if any, be repaid to Government, and

*(iii) he shall in exchange be entitled to count towards pension suc* part of the period during which he subscribed to such Contributory Provide Fund as the Rajasthan Government may determine.

## Procedure Rules

22. All sums paid into the Fund under these rules shall be credite In the books of Government to an account named "The General Provident Fund Sums of which payment has not been taken within six months after they bec ome payable under these rules shall be transferred to ' Deposits at the en of the year and treated under the ordinary rules relating to deposits

23 When paying a subscription, either by deduction from emolum ents or in cash, a subscriber shall quote the number of his account in the Fun which shall be communicated to him by the Account Officer Any change i the number shall similarly be communicated to the subscriber by the Accour Officer

24 (1) As soon as possible after the close of each year, the Accoun Officer shall send to each subscriber a statement of his account in the Fun showing the opening balance as on the Ist April of the year, the total amoun credited or debited during the year, the total amount of interest cred ited as on the 31st March of the year and the closing balance on that date Th Account Officer shall attach to the statement of account an enquiry whethe the subscriber—

(a) desires to make any alteration in any nomination made under rul 8, or under the corresponding rule heretofore in force,

(b) has acquired a family in cases where the subscriber has made nc nomination in favour of a member of his family under the proviso to sub-rule (1) of rule 8

(2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the the notice of the Accoun Officer within six months *from the date of receipt of the statement*

(3) The Account Officer shall, if required by a subscriber, once, but not more than once in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up

———

## FIRST SCHEDULE

[Rule 8 (2)]

Form of Nomination when subscriber has a family

I hereby direct that the amount at my credit in the General Provident Fund at the time of my death shall be distributed among the members of my family mentioned below in the manner shown against their names —

| Name and address of the nominee or nominees | Relationship with the subscriber | Age of the nominee | Amount of share of accumulations |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

Date Station Signature of Subscriber Two Witnesses to signature.

Note —Column 4 shall be filled in so as to cover the whole amount at credit

## SECOND SCHEDULE

[ Rule 8 (3) ]

Form of Nomination when subscriber has no family

I hereby declare that I have no family and direct that the amount at my credit in the General Provident Fund at the time of my death shall in the event of my having no family be distributed among the persons mentioned below in the manner shown against their names —

| Name and address of the nominee or nominees | Relationship, if any with the subscriber | Age of the nominee | Amount of share of accumulations |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

Date Station Signature of Subscriber Two Witnesses to signature

Note —Column 4 shall be filled in so as to cover the whole amount at credit

## THIRD SCHEDULE

[ Rule 15 (1) ]

Authorities competent to grant temporary advances

1 An advance for the grant of which special reasons are not required under clause (c) of rule 15 may be sanctioned by the authority competent to grant an advance of pay on transfer under the relevant rules in General Financial and Account Rules

2 An advance for the grant of which special reasons are required uuder clause (c) of rule 15, may be sanctioned by -

(i) an Administrative Department of the Government.

(ii) Heads of Departments whose names appear in Appendix No 3 to the General Financial Rules

By Order of
His Highness the Rajpramukh
G S PUROHIT,
Secretary to the Government,

# Appendix 'A'

Act No XIX of 1925

(27th August 1952)

An Act to amend and consolidate the law relating to Government and Other Provident Funds

WHEREAS IT is expedient to amend and consolidate the law relating to Government and other Provident Funds it is hereby enacted as follows

1 **Short title extent and commencement**—(1) This act may be called the Provident Funds Act 1925

(2) It extends to the whole of India, except the State of Jammu and Kashmir

(3) It shall come into force on such date as the Central Government may by notification in the Gazette of India appoint

2 **Definitions**—In this Act unless there is anything repugnant in the subject or context —

(a) Compulsory deposit means a subscription to or deposit in a Provident Fund which under the rules of the Fund is not until the happening of some specified contingency repayable on demand otherwise than for the purpose of the payment of premium in respect of a policy of life insurance (or the payment of subscriptions or premium in respect of a family pension fund) and includes any contribution and any interest or increment which has accrued under the rules of the Fund on any such subscription deposit or contribution and also any such subscription deposit contribution interest or increment remaining to the credit of the subscriber or depositor after the happening of any such contingency.

(b) Contribution means any amount credited in a Provident Fund by any authority administering the Fund by way of addition to a subscription to or deposit or balance at the Credit of an i d vidual account in the Fund and Contributory Provident Fund means a Provident Fund the rules of which provide for the crediting of contributions

(c) Dependent means any of the following relatives of a deceased subscriber to or a depositer in a Provident Fund namely a wife husband parent child minor brother unmarried sister and a deceased son s widow and child and where no parent of the subscriber or depositor is alive a paternal grand parent

(d) Government Provident Fund' means a Provident Fund other than a Railway Prov dent Fund constituted by the authority of the Secretary of State the Central Government the Government representative or any Government for any class or classes of persons in the service of the Government or of persons employed in educational institutions or employed by bodies existing solely for educational pu poses and references in this Act to the Government shall be construed accordingly

(e) "Provident Fund" means a fund in which subscriptions or ... class or classes of employees are received and held ... any contributions and any int- ... ch subscriptions, deposits or contributions under the rules of the Fund.

(f) "Railway administration" means—

(i) any company administering a railway or tramway in any part of India either under a special Act or Parliament of the United Kingdom or an Indian law, or under contract with the *Government*, or

(ii) the *manager* of any railway or tramway administered by the Central Government or by a State Government and includes, in any case *referred to in* subclause (ii), the Central Government or the State Government, as the case may be;

(g) "Railway Provident Fund" means a Provident Fund constituted by the authority of a railway administration for any class or classes of its employees.

3. **Protection of compulsory deposits**.—(1) A compulsory deposit in any Government of Railway Provident Fund shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil Revenue or Criminal Court in respect of any debt or liability incurred by the subscriber or depositor and neither the Official Assignee nor any receiver appointed under the State Insolvency Act, 1920 (V of 1920), shall be entitled to, or have any claim on, any such compulsory deposit.

(2) Any sum standing to the credit of any subscriber to or depositor in any such Fund at the time of his decease and payable under the rules of the Fund to any dependent of the subscriber or depositor, or to such person as may be authorised by law to receive payment on his behalf, shall subject to any deduction authorised by this Act and save where the dependent is the widow or child of the subscriber or depositor, subject also to the rights of an assignee under an assignment made before the commencement of this Act vest in the dependent and shall subject as aforesaid, be free from any debt or other liability incurred by the deceased or incurred by the dependent before the death of the subscriber or depositor

4 **Provisions regarding re-payments**.—(1) When *under the rules* ... Fund the sum standing to the credit ... ance *thereof after the making of any* ... *come payable, the officer* whose duty ... sum or balance, as the case may be, ... dead, shall—

(a) if the sum or balance, or any part *thereof,* vests in a dependent under the provisions of section 3, pay the *same* to the dependent or to such person as may be authorised by law to receive payment on his behalf, or

(b) if the whole sum or balance, *as the case* may be, does not exceed five thousand rupees, pay the same, *or* any *part thereof,* which is not payable under clause (a) to any ... it under the rules of the F... any person appearing to ... it, or

(c) in the case of any sum or balance, or any part thereof, which is not payable to any person under clause (a) or clause (b) pay the same,—

(i) to any person nominated to *receive it under the rules* of the Fund, on production by such person of probate or letters of administeration evidencing the grant to him of administration to the estate of the deceased or a certificate granted under the Succession Certificate Act 1889 or under the Bombay Regulation VIII of 1827, *entitling the holder* thereof to receive payment of such sum, balance or part, or

(ii) where no person is so nominated, to any person who produces such probate letters or certificate,

Provided that, where the whole or any part of any sum standing to the credit of the subscriber or depositor has been assigned to any other person before the commencement of this Act and notice in writing of the assignment has been received by the Officer from *the assignee the Officer shall after* making any deduction authorised by this Act and any payment due under clause (a) to or on behalf of the widow or children of the subscriber or depositor—

(i) if the subscriber or depositor or if he is dead the person to whom *in the absence of any valid assignment the sum or balance would* be payable under this sub section gives his consent in writing pay the sum or part or the balance thereof, as the case may be to the assignee, or

(ii) *if such consent is not forthcoming* withhold payment of the sum part or balance as the case may be pending a decision of a competent Civil Court as to the person entitled to receive it

(2) The making of any payment authorised by sub section (1) shall be a full discharge to the Government or the railway administration as the case may be from all liability in respect of so much of the sum standing to the credit of the subscriber or depositor as is equivalent to the amount so paid

5 **Rights of the nominees—(1)** Notwithstanding anything contained in any law for the time being in force or any disposition whether testamentary or otherwise by a subscriber to or depositor in a Government or Railway Provident Fund of the sum standing to his credit in the Fund or of any part thereof where any nomination, *duly made in accordance with the rules* of the Fund purports to confer upon any person the right to receive the whole or any part of such sum on the death of the subscriber or depositer occuring before the sum has become payable or before the sum having become payable has been paid the said person shall on the death as aforesaid of the subscriber or depositor become entitled to the exclusion of all other persons to receive such sum or part thereof as the case may be unless—

(a) such nomination is at any time varied by another nomination made in like manner or expressly cancelled by notice given in the *manner and to the authority prescribed by those rules or*

(b) such nomination at any time becomes invalid by reason of the happening of *some contingency specified therein and if the said* person predeceases the subscriber or depositor the nomination shall so far as it relates to the right conferred upon the said person become void and of no effect

Provided that where *provision has been duly made in the nomination* in accordanee with the rules of the Fund conferring upon some other person such right in the stead of the person deceased such right shall upon the decease as aforesaid of the said person pass to such other person

(2) Notwithstanding anything contained in the Indian Succession Act,

1925, or the Bombay Regulation VIII of 1827, any person, who becomes entitled as aforesaid may be granted a certificate under that Act, or that Regulation as the case may be entitling him to receive payment of such sum or part, and such certificate shall not be deemed to be invalidated or superseded by any grant to any other person of probate or letters of administration to the estate of the deceased

(3) The provisions of this section as amended by sub-section (1) of section 2 of the Provident Funds (Amendment) Act, 1946, shall apply also to all such nominations made before the date of the commencement of that Act

Provided that the provisions of this section as so amended shall not operate to affect any case in which before the said date any sum has been paid or has under the rules of the Fund become payable in pursuance of any nomination duly made in accordance with those rules.

**6. Power to make deductions.**—When the sum standing to the credit of any subscriber or depositor in any Government or Railway Provident Fund which is a contributory Provident Fund becomes payable, there may if the authority specified in this behalf in the rules of the Fund so directs, be deducted therefrom and paid to Government or the Railway administration, as the case may be—

(a) any amount due under a liability incurred by the subscriber or depositor to Government or the Railway, administration but not exceeding in any case the total amount of any contributions credited to the account of the subscriber or depositor and of any interest or increment which has accrued on such contributions, or

(b) where the subscriber or depositor has been dismissed from his employment for any reasons specified in this behalf in the rules of the Fund, or where he has resigned such employment within five years of the commencement thereof, the whole or any part of the amount of any such contributions, interest and increment,

**7. Protection for acts done in good faith**—No suit or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act

**8. Power to apply the Act to other Provident Fund**—(1) The [illegible]

(2) The appropriate Government may by notification in the [illegible] Fund were the Government

Provided that section 6 shall apply as if the authority making the contributions referred to in that section were the Government,

[illegible]ment may, by notification in the Official [illegible] of any public Institution it may deem fit, [illegible] as if it had been made by [illegible]

(4) In this section, "the appropriate Government",

(a) in relation to a cantonment authority a port authority for a major port and any institution which or the objects of which appear to the Central Government to fall within List 1 in the seventh Schedule to the Constitution the Central Government and

(b) in other cases the State Government Explanation ' The State Government in relation to an institution registered under the Societies Registration Act 1860 means the State Government of the State in which the Society is registered

9 **Savings as to estates of soldiers** —Nothing in setcion 4 or section 5 shall apply to money belonging to any estate for the purpose of the administration of which the Regimental Debts Act, 1893 applies

## "THE SCHEDULE"

### List of Institutions

### (See sub section (2) of section 8)

1 The Pasteur Institute of India Kasauli
2 The Calcutta Improvement Tribunal
3 A Count of Wards
4 The Indian Central Cotton Commitee
5 The Trustees for the European Hospital for mental diseases at Ranchi
6 The National Association for supplying female medical aid to the women of India
7 A College affiliated to a University established by Statute
8 The Indian Coal Grading Board
9 The Lady Minto s Indian Nursing Association
10 The Indian Red Cross Society
11 The Indian Lac Cess Commitee
12 The Madras State Branch of the Indian Red Cross Society
13 The Imperial Bank of India
14 The Bihar and Orissa Medical Examination Board
15 x x x x x x
16 The Institution created for the control of emigrant labour under the Tea Districts Emigrant Labour Act 1932
17 The Bombay Board of Film Censors
18 The calcutta Univers ty
19 The Central Board of Irrigation
20 The Reserve Bank of India
21 x x x x x x
22 The Banaras Hindu Uuiversity
23 The Medical Council of India
24 The Indian Coffee Cess Commitee
25 The State Board for Anglo Indian and European Education
26 The Indian Research Fund Association
27 The Delhi Joint Water and Sewage Board
28 The Tuberculosis Association of India
29 The Coal Mines Stowing Board
30 A Group Committee of the Sleeper Pool of Indian Railways
31 The Indian Coffee Market Expansion Board
32 The Coal Mines Rescue Stations Commitee
33 The Indian Coffee Board
34 x x x x x x
35 The Indian Rubber Board
36 The Indian Central Sugarcane Committee
37 All Indian Cattle Show Committee
38 The Coal Mines Labour Welfare Fund
39 The Indian Coconut Committee
40 The Indian Central Tobacco Committee

## APPENDIX 'B'

### General principles which should determine the grant of an advance from the General Provident Fund.

1. The fund is designed solely for the protection of a subscriber's family against his sudden death, or, if he survives until retirement, to provide both him and them with additional resources in his old age Anything which interferes with a subscriber's normal accumulations detracts from these purposes and tends to defeat the true object of the fund Rule 15 merely permits a temporary and wholly exceptional departure from real purposes of the scheme and unless it is strictly interpreted, there is danger that subscribers will come to regard the fund as an ordinary banking account the existence, of which absolves them from the necessity of providing for the normal incidents of life with the prudence which a private individual would exe cise The inevitable result of this tendency is countenanced will be to discourage thrift and to leave the subscriber with a depleted account at the time when it ought to be most helpful to him or his family Sanctioning authorities ought, therefore, to have no hesitation in resisting any attempt to use the fund as a cheap loan account, and in enforcing the altogether exceptional character of rule 15 as a provision to meet urgent needs which could not ordinarily have been anticipated Every ... to meet a certain demand ... is only when the burden ... grave and sudden, that ... for this object

2 For the same reasons a careful scrutiny should be applied to requests for withdrawals on account of marriage or funeral expenses Even where ceremonial expenditure is by religious custom obligatory, its extent should nevertheless be limited by the resources of the family and no subscriber should be enable to enhance such expenditure on the strength of deposits in the fund An advance f om the fund can legitimately be made for obligatory ceremonial expenditure where no other resources exist but not in order to raise such expenditure to a more pretentious scale

3 The intention of these instructions is not to limit the powers of the authorities competent to sanction withdrawals from the fund *in* cases of absolute necessity but the observance of the principles enunciated above is in the real interest of the body of subscribers to the fund

## APPENDIX 'C'

1 Any sum payable under rule 19 to a member of the family of a subscriber vests in such member under sub section (2) of section 3 of the Provident Fund Act 1925,

2 When a nominee is dependent on the subscriber as defined in clause (c) of section 2 of the Provident Fund Act 1925 the amount vests in such nominee under sub section (2) of section 3 of the Act.

3 When the subscriber leaves no family and no nomination made by ... *Subsists* or if such nomi- ... his *credit* in the fund the ... se (ii) of clause (c) of sub- ... 1925, are applicable to the ... ination does not relate.

**वार्षिक कार्य मूल्यांकन प्रतिवेदन भरने बाबत ।**

परिपत्र क्रमाक शिविरा/सस्था/डी-2/व. अ./गो. प्र./11289/109/78-79
दिनाक 18-11-80.

गत वर्षों से विभाग द्वारा अपर उप जिला शिक्षा अधिकारी/शिक्षा प्रसार अधिकारी के पद क्रमोन्नत किये गये हैं और अब ये पद कनिष्ठ व्याख्याता के पद के समकक्ष पद हैं। अतः इस वर्ष मे अपर उप जिला शिक्षाधिकारी/शिक्षा प्रसार अधिकारी के वार्षिक कार्य मूल्याकन प्रतिवेदन सधारित करने हेतु शिक्षा निदेशक, प्राथमिक एव माध्यमिक शिक्षा, राजस्थान ही सक्षम अधिकारी हैं तथा उक्त पद पर गत वर्षों से कार्यरत सभी अधिकारियो के वार्षिक कार्य मूल्याकन प्रतिवेदन शिक्षा निदेशालय को ही प्रेषित किये जावेंगे।

इस आदेश द्वारा समस्त अधीनस्थ कार्यालयो को यह निर्देश दिये जाते है कि जिस अधिकारी के अधीनस्थ अपर उप जिला शिक्षाधिकारी कार्यरत हैं वह अधिकारी उसके वार्षिक कार्य मूल्याकन प्रतिवेदन लिखने के लिए वह अधिकारी नियन्त्रण अधिकारी होगा तथा नियन्त्रण अधिकारी से उच्च अधिकारी समीक्षक अधिकारी होगा। पचायत समिति मे कार्यरत शिक्षा प्रसार अधिकारी के वार्षिक कार्य मूल्याकन प्रतिवेदन लिखने के लिए विकास अधिकारी सक्षम प्रतिवेदन अधिकारी होगे, परन्तु इसके लिए जिला शिक्षाधिकारी ही सक्षम समीक्षक अधिकारी होगे। पचायत समिति के शिक्षण कार्य के निरीक्षण आदि हेतु विभाग द्वारा वरिष्ठ उप जिला शिक्षाधिकारी के पद सृजित हैं अतः जिला शिक्षाधिकारी का यह दायित्व होगा कि वह समीक्षा के लिए वरिष्ठ उप जिला शिक्षाधिकारी की रिपोर्ट भी सम्बन्धित शिक्षा प्रसार अधिकारी के कार्य व्यवहार आदि के सम्बन्ध मे प्राप्त करेगे और समीक्षा मे यदि आवश्यक हो तो इसका भी समावेश करेंगे। शिक्षा निदेशालय मे कनिष्ट व्याख्याता के वार्षिक कार्य मूल्याकन प्रतिवेदन विषयवार सधारित किये जाते हैं और नियमो मे यह प्रावधान है कि कनिष्ठ व्याख्याता तथा अपर उप जिला शिक्षाधिकारी/शिक्षा प्रसार अधिकारी के पद के समकक्ष है और परस्पर स्थानान्तरित किये जा सकते हैं अतः इन अधिकारियो के प्रतिवेदन अभिलेख भी विषयवार सधारित होगे। ऐसी स्थिति मे प्रत्येक अपर उप जिला शिक्षाधिकारी/शिक्षा प्रसार अधिकारी के अधिस्नातक शैक्षिक योग्यता के विषय का उल्लेख भी प्रतिवेदन प्रपत्र के प्रथम पृष्ठ मे पद के कालम मे पदनाम लिखने के पश्चात् विषय का भी उल्लेख कर दिया जावे।

सभी अधीनस्थ कार्यालयो को यह भी निर्देश दिये जाते हैं कि वह गत वर्ष द्वितीय वेतन श्रृखला से अपर उप जिला शिक्षा अधिकारी/प्रसार अधिकारी पद पर पदोन्नत अधिकारियों के इससे पूर्व के वार्षिक कार्य मूल्याकन प्रतिवेदन पजिका शिक्षा निदेशालय को प्रेषित करेंगे।

**वार्षिक कार्य मूल्यांकन : प्रतिकूल प्रविष्टि**

परिपत्र क्रमाक शिविरा/सस्था/डी/विजाच/6406/80 दिनाक 18.3.81

विषय—वार्षिक कार्य मूल्याकन प्रतिवेदन की प्रतिकूल प्रविष्टियो को सूचित करने एव उन पर निर्णय लिये जाने की प्रक्रिया से सम्बन्धित।

## वार्षिक कार्य मूल्यांकन प्रतिवेदन भरने बाबत आदेश

वार्षिक कार्य मूल्यांकन प्रतिवेदन लिखने एवं प्रतिकूल प्रविष्टियों को सूचित को जाकर निर्णय लिये जाने की कार्यवाही का विवेचन परिपत्र क्रमांक एफ 14 (29) कार्मिक/ए. सी. आर./73 दिनाक 30,3.76 मे दिया गया है । इस सम्बन्ध मे कार्मिक विभाग ने समय समय पर अन्य अतिरिक्त आदेश भी प्रसारित किये हैं। उक्त विषयक मुख्य सचिव की अध्यक्षता मे विधि, कार्मिक एवं प्रशासनिक सुधार विभाग, जन अभियोग निराकरण विभाग तथा विभागीय जांच के कार्यों का पुनरावलोकन किया गया तो पाया गया कि वार्षिक कार्य मूल्याकन प्रतिवेदनों को प्राप्त करने एव उन पर कार्यवाही करने मे सुधार लाने हेतु तत्परता से कार्यवाही की जावे ।

उपरोक्त वर्णित विषयक समस्त अधीनस्थ कार्यालयो को निर्देश दिये जाते हैं कि लोक सेवक के वार्षिक कार्य मूल्याकन प्रतिवेदन मे अंकित प्रतिकूल प्रविष्टिया सूचित करने एव उन पर कार्यवाही करने के सम्बन्ध मे कार्मिक विभाग से जारी किये गये आदेशो का अनुसरण करते हुए निम्न प्रकार से कार्यवाही की जाये :

(1) राजस्थान अधीनस्थ शिक्षा सेवा नियम, 1971 के शिड्यूल के विभिन्न सेक्शन्स के ग्रेड–*IInd* अध्यापको/पुस्तकालयाध्यक्षों तथा मन्त्रालयिक सेवा के वरिष्ठ लिपिक के वार्षिक कार्य मूल्याकन प्रतिवेदन मे अंकित प्रविष्टियो को जाच मण्डल अधिकारी तथा राजस्थान अधीनस्थ शिक्षा सेवा नियम, 1971 के विभिन्न सेक्शन्स के ग्रेड–IIIrd अध्यापको/पुस्कालयाध्यक्षो तथा मन्त्रालयिक सेवा के कनिष्ठ लिपिक के वार्षिक कार्य मूल्यांकन प्रतिवेदन मे अंकित प्रतिकूल प्रविष्टि की जाच जिला शिक्षा अधिकारी के नीचे के स्तर पर नही की जानी चाहिए।

(2) भविष्य मे प्रतिकूल प्रविष्टि की जाच मण्डल अधिकारी/जिला शिक्षा अधिकरी गोपनीय प्रतिवेदन के प्राप्त होने के दिन ही अपने स्तर पर करेंगे एव प्रविष्टि प्रतिकूल पाये जाने पर उससे सम्बन्धित अध्यापक को सूचित करने हेतु अनुभाग अधिकारी को निर्देश अंकित करेंगे तथा अनुभाग अधिकारी इस आशय के पत्र अविलम्ब रजिस्टर्ड पोस्ट से जारी कर देंगे जिससे अनावश्यक रूप से देरी न हो।

(3) प्रतिकूल प्रविष्टि सम्बन्धित अध्यापक को सूचित कर देने के पश्चात् उन्हे जो अभ्यावेदन प्राप्त होता है, इसको उचित समय पर सम्बन्धित प्रतिवेदक अधिकारी के पास भेज दिया जावे और उनका औचित्य प्राप्त कर लिया जावे ।

(4) प्रतिवेदक अधिकारी से प्राप्त औचित्य पर अनुभाग अधिकारी द्वारा टिप्पणी मण्डल अधिकारी जिला शिक्षा अधिकारी के अवलोकनार्थ तैयार कीजावेगी। मण्डल अधिकारी जिला शिक्षा अधिकारी द्वारा लिये गये निर्णय से प्रतिवेदित अधिकारी को सूचित कर दिया जावे।

(5) प्रतिकूल प्रविष्टि के सम्बन्ध मे समस्त पत्रव्यवहार प्रतिवेदित अधिकारी के व्यक्तिगत नाम से दिया जायेगा और यह पत्र व्यवहार रजिस्टर्ड–डाक द्वार प्रेषित किया जावेगा । अभिवेदन प्रस्तुत करने के लिये एक माह का समय प्रतिवेदित अधिकारी को दिया जावे तथा औचित्य प्रस्तुत करने के लिये बीस दिन का समय प्रतिवेदक अधिकारी को दिया जावेगा । निर्धारित समयावधि मे प्रतिवेदित अधिकारी से अभ्यावेदन प्राप्त न होने की स्थिति मे प्रतिकूल प्रविष्टि के सम्बन्ध मे मण्डल अधिकारी/जिला शिक्षा अधिकारी द्वारा अपने स्तर पर ही निर्णय लिया जावेगा।

उपरोक्त निर्देशो का पूर्णतः पालन किया जावे ।

## राजकीय सेवाओं मे अनुसूचित जाति/अनुसूचित जन जातियों के प्रत्याशियों की आरक्षित पदो पर सीधी भर्ती/पदोन्नति हेतु राज्य सरकार द्वारा स्वीकृत रोस्टर प्रणाली का सरल विवेचन

भारतीय संविधान की धारा 16 (4) एव 335 के अनुसार राजस्थान की राजकीय सेवाओं मे सीधी भर्ती एव पदोन्नति की रिक्तियो पर अनुसूचित जाति/अनुसूचित जन जातियो के व्यक्तियो के लिए क्रमश 16 एव 12 प्रतिशत का आरक्षण रखा गया है जिसके उचित प्रकार से क्रियान्वयन हेतु रोस्टर प्रणाली लागू की गई है।

दिनाक 1-4- 971 से 100 बिन्दु रोस्टर प्रणाली के अनुसार नियुक्तियो का प्रावधान रखा गया था जिसमे 17 प्रतिशत स्थान अनुसूचित जातियो के लिए तथा 11 प्रतिशत स्थान अनुसूचित जन जातियो के व्यक्तियो के लिए आरक्षित रखे गये थे। 100 बिन्दु रोस्टर पजिका के लिए 15 कालम का प्रपत्र (परिशिष्ट "क") स्वीकृत किया गया था।

दिनाक 10-2-1975 से रोस्टर प्रणाली मे कुछ मूलभूत फेर-बदल निम्न प्रकार किये गय है ---

1 दिनाक 10-2-1975 से 100 बिन्दु के स्थान पर 40 बिन्दुओ की रोस्टर प्रणाली लागू की गई।

2 इसमे राजकीय सेवाओ मे एक नियुक्ति वर्ष के लिए उपलब्ध रिक्तिया के 17 प्रतिशत के स्थान पर 16 प्रतिशत स्थान अनुसूचित जातियो तथा 11 प्रतिशत के स्थान पर 12 प्रतिशत स्थान अनुसूचित जन जातियो के प्रत्याशियो के लिए आरक्षित किये गये तथा बिन्दु स 1, 7, 14, 21, 28 व 35 अनुसूचित जाति के लिए व बिन्दु सख्या 4, 12, 22, 30 व 39 अनुसूचित जन जाति के लिए आरक्षित किये गये है।

3 यह प्रणाली सीधी भर्ती व पदोन्नति (दोनो) के लिए लागू की गई है। सिवा उन पदोन्नति के पदो के जो 66⅔ से अधिक सीधी भर्ती से भी भरे जाते हो तथा वे पद जिन पर केवल योग्यता के आधार पर ही पदोन्नति की जाती हो।

4 40 बिन्दु रोस्टर पजिका के लिए 15 कालम के स्थान पर केवल 11 कालम का प्रपत्र (परिशिष्ट "ख" रखा गया है।

5 अनुसूचित जाति/अनुसूचित जन जातियो के योग्य प्रत्याशी उपलब्ध न होने की दशा मे बकाया आरक्षित रिक्तिया दो वर्ष क स्थान पर तीन नियुक्ति वर्ष तक अग्रेषित (करीफारवंड) किये जाने का प्रावधान किया गया है।

6 किसी नियुक्ति वर्ष मे एक ही उपलब्ध रिक्ति आरक्षित बिन्दु पर आने के बावजूद उस रिक्ति को अनारक्षित (अन-रिजर्वड) माने जाते रहने के स्थान पर इस प्रकार की एक रिक्ति को एक नियुक्ति वर्ष मे अनारक्षित (अन-रिजर्वड) मानने के उपरान्त अगले नियुक्ति वर्ष मे फिर एक ही रिक्ति उपलब्ध होने पर उसे आरक्षित मान कर ही भरा जाने का प्रावधान किया गया है।

रोस्टर प्रणाली को भली प्रकार क्रियान्वयन करने के लिए निम्न बातो पर विशेष ध्यान दिया जाना आवश्यक है ---

1 आया रोस्टर पजिका के प्रथम पृष्ठ पर अधिकारी जिन-जिन पदो पर नियुक्ति हेतु प्राधिकृत है उन पदो का नियुक्ति प्राधिकृत अधिकारी के हस्ताक्षरो के साथ इन्डेक्स दे दिया गया है।

2 आया रोस्टर प्रत्येक स्थाई अथवा अस्थाई पद जो 45 दिन से अधिक के लिए स्वीकृत है, के लिए रखा जा रहा है।

3 आया रोस्टर पजिका निर्धारित प्रपत्र मे ही रखी जा रही है।

4 आया रोस्टर पजिका के सभी कालम पूरे भरे जा रहे है।

5 आया हर वर्ग के आरक्षित पदो के लिए अलग से रोस्टर पजिका खोली गई है।

6 आया दिनाक 1-4-1971 से दिनाक 9-2-75 तक की गई नियुक्तियो के लिए 100 बिन्दुओ वाली रोस्टर प्रणाली अपनाई गई है।

7 आया दिनाक 10-2-75 के बाद की गई नियुक्तियो के अलावा पदोन्नतियो के लिए भी (प्रत्येक वर्ग के लिए अलग) रोस्टर पजिका खोली गई है।

8 आया पिछले वर्ष की बकाया (बैक-लाग) यदि कोई हो तो कालम 1 व 2 मे सर्वप्रथम अकित (बाट फारवर्ड) की गई है।

9 आया नियुक्ति की तिथि रोस्टर पजिका के कालम न 3 मे आवश्यक रूप से अकित कर दी गई है।

10 चाहे वर्ष समाप्त हुआ है अथवा नही हुआ है, रोस्टर के बिन्दु 1 से 40 तक समाप्त होने पर ही पुन बिन्दु एक से प्रारम्भ किया गया है। (अर्थात् मान लीजिये वर्ष 1975 मे केवल 10 नियुक्तिया/पदोन्नतिया की गई है तो अगले वर्ष मे रोस्टर बिन्दु 11 मे ही चालू होगी न कि बिन्दु एक से)

11. आया रोस्टर बिन्दु के अनुसार यदि कोई अनुसूचित जाति/अनुसूचित जन जाति का योग्य अभ्यार्थी उपलब्ध न हो तो इस सम्बन्ध म राज्य सरकार द्वारा समय-समय पर प्रसारित निर्देशो के अनुसार नियोजन कार्यालय, समाज कल्याण विभाग व प्रमुख दैनिक समाचार पत्रो मे विज्ञापन देने के अतिरिक्त सम्बन्धित आकाशवाणी केन्द्र, अनुसूचित जाति/अनुसूचित जन जाति कल्याण सस्थाओ तथा ससद मे अनुसूचित जाति/अनुसूचित जन जाति कल्याण समिति मे राजस्थान के प्रतिनिधि को आरक्षित पद विज्ञापित कर दिए गये है।

12 आया समस्त प्रयासो के बावजूद आरक्षित पदो के लिये योग्य अनुसूचित जाति/अनुसूचित जन जाति के अभ्यार्थी उपलब्ध न होने की दशा म राज्य सरकार के निर्देशो के अनुसार सम्बन्धित प्रशासनिक विभाग के आदेश प्राप्त करके ही उस/उन/पद/पदो को अनारक्षित (अन-रिजर्वड) मानकर भरा गया है।

13 आया उपरोक्त प्रकार आरक्षित पदो के न भरे जाने की दशा मे उतने ही आरक्षित पद अनुसूचित जाति/अनुसूचित जन जाति, जैसा भी हो, के लिए आगामी नियुक्ति वर्ष/रिक्रूटमेंट ईयर के लिए अग्रेषित (केरी फारवर्ड) कर दिये गये हैं।

14 आया रोस्टर पजिका के कालम पाच मे (अभ्यार्थियो) के नाम के साथ कार्यभार समालने की तिथि अकित कर दी गई है।

15 आया कालम 7 व 8 मे क्रमश अनुसूचित जाति/अनुसूचित जन जाति की बकाया वर्ष-वार दिखा दी गई है।

16 आया प्रत्येक नियुक्ति के (इन्द्राज) प्राधिकृत अधिकारी द्वारा हस्ताक्षर कर प्रमाणित कर दिये गये है।

17. आया गत वर्षों के केरी–फारवर्ड किये गये आरक्षित पदो पर ही वर्ष क्रम से नियुक्तिया की गई है और उनके समायोजन के पश्चात् ही चालू वर्ष के आरक्षित पदो पर नियुक्तिया/पदोन्नतिया की गई है।

18 आया किसी वर्ष मे एक ही रिक्त पद उपलब्ध हो और वह रोस्टर के आरक्षित बिन्दु पर आता है तो उसे प्रथम नियुक्ति वर्ष म अनारक्षित (अन-रिजर्वड) माना जाकर अगले नियुक्ति वर्ष के लिए केरी फारवर्ड कर दिया गया है।

19 आया दूसरे वर्ष भी यदि एक ही पद रिक्त है तो भी उसे आरक्षित पद मानते हुए ही भरा गया है।

20. आया उपरोक्तानुसार किसी आरक्षित पद को समाप्त करने से पूर्व यह सुनिश्चित कर लिया गया है कि पूर्ण प्रयास करने पर भी उस पद के योग्य अनुसूचित जाति/अनुसूचित जन जाति के व्यक्ति लगातार तीन नियुक्ति वर्ष (तीन रिक्रूटमट ईदर) तक उपलब्ध नही हो रहे है।

21. आया जिस वर्ष मे कोई नियुक्ति नही की गई है उस वर्ग विशेष के लिए वह वर्ष नियुक्ति वर्ष/रिक्रूटमन्ट ईयर/नही माना गया है।

22 आया यदि किसी वर्ष म अनुसूचित्त जाति/अनुसूचित जन जाति के व्यक्तिया की नियुक्तिया आरक्षित पदो से अधिक की गई हैं तो उन्हे आगामी वर्ष के आरक्षित पदो मे समायोजन तो नही कर लिया गया है।

23. आया कार्मिक विभाग के जाच दलो के मार्ग–दर्शन के अनुसार रोस्टर पजिका के रख रखाव मे हुई समस्त कमिया ठीक कर ली गई है।

24 आया अनुसूचित जाति/अनुसूचित जन जाति के व्यक्तियो की नियुक्ति पदोन्नति सम्बन्धित वार्षिक सूचना, जो तीन प्रपत्रो म कार्मिक विभाग को प्रतिवर्ष 20 अप्रेल तक भेजी जानी होती है, निर्धारित प्रपत्र मे पूर्ण सूचना देत हुए निर्धारित अवधि म भज दी गयी है तथा आरक्षित पदो के लिए अनुसुचित जाति/जन जाति के व्यक्तियो की अनुपलब्धता की दशा म शेष को अगले वर्ष के लिए केरी फारवर्ड किए जाने का प्रमाण–पत्र कार्मिक विभाग को भेज दिए गये है।

25 उपरोक्त जाच बिन्दुओ ( चैक पाईन्टस ) के अतिरिक्त भी रोस्टर पजिका के विभिन्न स्तम्भो को और अधिक समझान के लिए परिशिष्ट 'ग' भी सलग्न कर दिया गया है।

(परिशिष्ट क एव ख पेज न० 277 पर देखें)

# परिशिष्ट (ग)

## अनुसूचित जाति/अनुसूचित जन जाति के आरक्षण सम्बन्धी रोस्टर रजिस्टर

1 रजिस्टर के ऊपर पृष्ठ पर लिखा हुआ है "ग्रेड अथवा ग्रुप आफ पोस्ट" इस म एसे पद जिनका वेतनमान समान है, वेतनमान एव पदो को अकित करते हुए रजिस्टर म एक खाता खोलकर रोस्टर पाइन्ट के अनुसार हिसाब रखना है। सीधी भर्ती का अलग एव इसी प्रकार 10 2-75 से पदोन्नतियो का भी अलग। जैसा भी हो खाते की पुस्त पर स्पष्ट उल्लेख करना चाहिए।

2 फार्म के कालम स 1 एव 2 म उन आरक्षण को अग्रसरित करना जो गत वर्ष वर्षो के बकाया चल रहे हो। इसका अर्थ यह नही है कि आप अपने कार्यालय की सम्पूर्ण स्वीकृत स्टेन्थ पर

परिशिष्ट (क)

**Form of Register to be *maintained* to give effect to the roster *for reservation of posts for* Scheduled Castes/Schedu ed Tribes *R E C Os & Non Gazetted employees etc***

*Grade* or Group of posts
Permanent/Temporary

| Reservations brought forward from previous year | | | | Particulars of *recruitment* made | | | | Reservations carried forward | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Sch Castes | Sch Tribes | R E C Os S S C Os | N C Ec. | Date of Recruitment | Roster and point No | Whether General or reserved for S Cc /S Ts etc according to the roster | Name of the person appointed and date of appointment | Whether S C /S T R E COs etc if not say Neither | Sch Castes | Sc Tribes | R E C Os S S C Os | Non Gazetted employees | Signature of appointing authority or other authorised officer | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |

परिशिष्ट (ख)

**Form of Register to be maintained to give effect to the roaster for Scheduled Castes/Scheduled Tribes ROSTER 40 POINT**

*Grade* or Group of Posts
Permanent/Temporary

| Reservation brought forward from previous year | | Particulars of *recruitment* made | | | | Reservation carried forward | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| S C | S T | Date of Recruitment | Roster and Point No | Whether General or reserved for Sc's/St's etc according to the roster | Name of the person appointed and date of appointment | Whether S C /S T if not say Neither | Scheduled Castes | Scheduled Tribes | Signature of appointing authority or other authorised officer | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

आरक्षण फैलाकर बकाया आरक्षण अंकित कर दे बल्कि दिनाक 1-4-71 को अथवा उसके पश्चात जब भी नियुक्तिया की गयी हो उस वर्ष के अन्त मे ( वर्ष माह जनवरी से दिसम्बर ) जो नियुक्तियो मे भरने से शेष रह गए हो उन्हे अगले वर्ष इस कालम मे अग्रसरित कर अंकित करना है। इसी प्रकार 10-2-75 से पूर्व जो आरक्षण शेष रह गये है उन्हे 10-2-75 से खोले जाने रजिस्टर के इस कालम मे अग्रसरित करना है। आरक्षण जिन वर्षों के शेष रहे थे उन्हे वर्ष वार विवरण देकर अंकित करना है, ताकि निर्धारित नियुक्ति वर्षों की समाप्ति पर आरक्षणो को समाप्त करने मे तथा आरक्षण को अग्रसरित करने मे सुविधा रहे। इसी प्रकार पदोन्नतियो के सम्बन्ध मे भी 10-2-75 से पालना करनी है।

3 फार्म के कालम स 3 की मंशा नियुक्ति आदेश जारी करने की तिथि से हैं।

4 फार्म के कालम स 4 मे रोस्टर की बिन्दु सख्या एव कालम स 5 मे बिन्दु का वर्ग जो रोस्टर मे निर्धारित है। कालम स 6 मे नियुक्त व्यक्ति का नाम एव उनके द्वारा ड्यूटी ज्वाइन करने की तिथि। कालम स 7 मे नियुक्ति व्यक्ति का वर्ग। अनुसूचित जाति का है अथवा अनुसूचित जन जाति का–यदि इन दोनो वर्गों के न हो तो "नाइदर" (अन्य शब्द अंकित करना चाहिए) इसमे यह आवश्यक नही है कि जिस क्रम से रोस्टर बिन्दु अंकित है उसी क्रम से नियुक्त व्यक्तियो के नाम लिखे जावें। नियुक्ति आदेशो के क्रमानुसार ही नियुक्त व्यक्तियो के नाम अंकित किए जावें।

5 कालम स 8 एव 9 मे उन आरक्षणो को दिखाना है जिन्हे पूर्ण नही किए जाने की स्थिति मे अग्रसरित करना है। जिस वर्ग से आरक्षण सम्बन्धित हो उसी वर्ग के कालम मे दिखाना है। यदि किसी वर्ग मे सम्बन्धित आरक्षण गत वर्ष/वर्षों के शेष रहते है तो सर्वप्रथम सम्बन्धित वर्ग के नियुक्त व्यक्तियो मे उन आरक्षणों का समायोजन करते हुये शेष वर्ष/वर्षों के आरक्षणो को ही इन कालमो मे दिखाना है। जो आरक्षण लेप्स हो जाते है अथवा जिनका गत वर्ष के आरक्षणो मे समायोजन किया गया है उन्हे कालम स 11 मे अंकित करना चाहिये। इनका अंकन जिन इन्द्राजो मे सम्बन्धित हो उनके समक्ष करते रहना चाहिये। रोस्टर पंजिका के रख-रखाव का नमूना अधिक सुविधा हेतु परिशिष्ट "घ" म दे दिया गया है।

6. नियुक्ति वर्ष का तात्पर्य उसी वर्ष से है जिनमे सम्बन्धित श्रेणी के पदो पर नियुक्ति की गई हो। वर्ष का तात्पय कलेन्डर वर्ष से है न कि वित्तीय अथवा शिक्षा वर्ष से।

7. दिनाक 10 2 75 से पूर्व नियुक्ति वर्ष से आगे दो नियुक्ति वर्ष तक आरक्षण जीवित रहता था तथा इसी प्रकार दिनाक 10 2 75 से तीन नियुक्ति वर्ष तक जीवित रहेगा।

8 कालम स 10 मे नियुक्ति अधिकारी अथवा उनके द्वारा अधिकृत अधिकारी ही सत्यता को प्रमाणित करेंगे।

9 नियुक्ति अधिकारियो द्वारा अपने रोस्टर रजिस्टर मे उन्ही नियुक्तियो का अंकन किया जाना है जो उनके हस्ताक्षर के अन्तर्गत की जाती है। यदि उच्च अधिकारी द्वारा नियुक्त अधिकारी को प्रदत्त शक्तियो के क्षेत्र मे नियुक्तिया की जाती है अथवा रोस्टर बिन्दु का निर्देश देते है तो आरक्षणो के नियमानुसार हिसाब रखने का अथवा अनियमितता के उत्तर देने मे सम्बन्धित उच्च अधिकारी ही उत्तरदायी होंगे। अपेक्षा यही की जाती है कि सभी नियुक्ति अधिकारियो को प्रदत्त शक्तियो के क्षेत्र मे उन्हे ही नियुक्तिया करने की सुविधा रहे ताकि क्षेत्रवार आरक्षण पर क्षेत्र के सम्बन्धित वर्ग को अनुपातिक एव सामयिक सुविधा से वंचित नही होना पडे और क्षेत्र के प्रतिनिधित्व मे असमानता भी न रहे।

10. नियुक्त व्यक्तियो मे से किसी वर्ग के व्यक्ति द्वारा पद ग्रहण नही करने की स्थिति मे, चयन सूची मे से अगले सम्बन्धित वर्ग के व्यक्ति की नियुक्ति की जाकर रोस्टर की पूर्ति की जानी चाहिए। केवल नियुक्ति आदेश प्रचलित कर देने से ही आरक्षण का पूर्ण होना नहीं मान लेना चाहिए।

परिशिष्ट (घ)

**Form of Register to be Maintained to give effect to the Roster for Scheduled Castes/Scheduled Tribes**

Grade or Group of Posts Research Assistant

**ROSTER 40 POINT**

Permanent/Temporary

| Reservation brought forward from previous year SC | ST | Date of Recruitment | Roster and Point No | Particulars of recruitment made: Whether General or reserved fo S Cs/S Ts etc according to the roster | Name of the person appointed and date of appointment | Whether S C/S T, if not say Neither | Reservations carried forward: Scheduled Castes | Scheduled Tribes | Signature of appointing authority or other authorised officer | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | 15 4 75 | 1 | Sc | 1975 | Neither | | | | |
| | | ,, | 2 | UR | B | -do- | | | | |
| | | ,, | 3 | UR | C | -do- | | | | |
| | | ,, | 4 | ST | D | -do- | | | | |
| | | ,, | 5 | UR | E | -do- | 1(1975) | 1(1975) | | |
| 1(75) | 1(75) | 29-5-76 | 6 | UR | 1976/F | -do- | | | | |
| | | ,, | 7 | SC | G | -do- | | | | |
| | | ,, | 8 | UR | H | SC | | | | Adjusted against Sl No 1 |
| | | ,, | 9 | UR | I | Neither | | | | |
| | | ,, | 10 | UR | J | ,, | 1(76) | 1(75) | | |
| | | 30-2-77 | 11 | UR | 1977/K | ,, | | | | Adjusted against Sl. No 7 |
| | | ,, | 12 | ST | L | ,, | | | | |
| | | ,, | 13 | UR | M | SC | | | | |
| | | ,, | 14 | SC | N | ST | | | | Adjusted against Sl No 14 |
| | | ,, | 15 | UR | O | SC | Nil | 1(77) | | |

अनुसूचित जाति/जन जाति के उम्मीदवार के लिए, समाज कल्याण तथा नियोजन कार्यालय से नाम आना आवश्यक नहीं है।

स प. 15 (70) कार्मिक/क–5/78 दिनांक 2 जून, 1979।

उपरोक्त विषय मे इस विभाग के सम सख्यक परिपत्र दिनांक 25 7.78 के अनुच्छेद 3 मे यह उल्लेख है कि अनुसूचित जाति/जन जाति के प्रत्याशियो की नियुक्ति, नियोजन अधिकारी द्वारा सीधी ही की जा सकती है परन्तु एसी नियुक्तिया समाज कल्याण विभाग स अनुपलब्धता प्रमाण-पत्र प्राप्त करन के उपरान्त ही की जावें। इस सम्बन्ध मे राज्य सरकार के यह ध्यान मे आया है कि नियोजन अधिकारी, नियाजन कार्यालय एव समाज कल्याण विभाग स प्रत्याशियो की सूची तो प्राप्त कर लेते है परन्तु अनुसूचित जाति/जन जाति के व्यक्तियो से प्राप्त सीधे प्रार्थना पत्रो पर विचार नही करते फलस्वरूप अनुसूचित जाति/जन जाति के व्यक्ति सीधी भर्ती की सुविधा से वचित रह जाते है।

अत इस सम्बन्ध म अनुपलब्धता प्रमाण पत्र प्राप्त करन की शर्त हटाई जाकर, यह स्पष्टीकरण किया जाता है कि अनुसूचित जाति/जन जाति के व्यक्तियो की सीधी भर्ती द्वारा नियुक्ति किये जाने के लिये समाज कल्याण विभाग से अनुपलब्धता प्रमाण-पत्र प्राप्त करना आवश्यक नही है। आरक्षित पदो पर भर्ती किये जाते समय नियोजन कार्यालय एव समाज कल्याण विभाग स प्राप्त सूची के प्रत्याशियो के अतिरिक्त उन अनुसूचित जाति/जन जाति के व्यक्तियो को भी साक्षात्कार के लिए बुलाया जावे जिन्होन कि अपने प्रार्थना पत्र (उक्त जाति का होन का प्रमाण पत्र सहित) सीधे नियोजन अधिकारियो को प्रस्तुत किये हो तथा चयन तीनो सूचियो के प्रत्याशियो म से योग्यता के आधार पर किया जावे।

आप अपने अधीनस्थ समस्त नियोजन अधिकारियो को भी उपरोक्त स्पष्टीकरण के अनुसार कार्यवाही करने हतु निर्देशित कर देवें।

अनुसूचित जाति/जन जाति के सदस्यो को आर्थिक सहायता स्कीम

Order No F 11(67)/R P /Social/29807 Dated 28th May, 80

Sub ,—Scheme for monetary relief to victim of atrocities on members of Scheduled caste and Scheduled Tribes due to caste consideration

The proposal of introduction of scheme for monetary relief to victim of atrocities on members of Scheduled Castes and Scheduled Tribes due to caste consideration was under consideration the Government for some time past Now after careful consideration, the Governor is hereby pleased to accord sanction to the implementation of the scheme for monetary relief to the members of Scheduled Castes or Scheduled Tribes becoming victims of "atrocities" committed by members of other communities, due to caste consideration, for the loss sustained by them, with immediate effect

For the purpose of sanction of relief the following officers are categorised as "atrocities" .—

(a) Murder

(b) Violence resulting in any grievous hurt, (Section 320 I P C)

(c) Rape, and

(d) Serious mischief or arson

The following scale of relief should be sanctioned to the victims of atrocities —

| | |
|---|---|
| (1) Murder | Rs 2000/– |
| (2) Permanent damage to house | Rs 1000/– per family |
| (3) Particle damage to house (depending upon the discretion of the Collector) | Rs. 500/– per family |
| (4) Permanent incapacitation upto | Rs 1000/– |
| (5) Temporary incapacitation upto (depending upon the discretion of the Collector) | Rs 500/– |
| (6) Arson cases and damage to agriculture property/moveable property upto (depending upto the discretion on the Collector) | Rs 1000/– per family |
| (7) Rape victims | Rs 2000/– per family |

Suitable funds will be placed with the Collectors of the various districts who will distribute these funds immediately after identifying the victims In the case of murder, relief could be given to the nearest kith & kin, say wife son of the deceased Collector may exercise suitable discretion in the matter The Social Welfare Officer of the district will be available to the Collector to assist him in the matter, Due receipt be obtained from the person to whom relief is given

This relief will be independent of any other relief admissible from the office of C M

**अनुसूचित जाति/जन जाति के लोगो को ग्रामो मे नि शुल्क भूखण्ड आवंटित होगे ।**

(स एफ 4 (5) एन ज /पचा /ए आर 181/223 दिनाक 21 4 81

पचायत अधिनियम, 1953 (1953 का राजस्थान अधिनियम 21) की धारा 89 की उप-धारा (1) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए राज्य सरकार उन शर्तों के सम्बन्ध मे निम्न लिखित नियम बनाती है जिनके अधीन भूमिहीन व्यक्तियो अनुसूचित जातियो, अनुसूचित जनजातियो, ग्रामीण शिल्पियो और छोटे एव सीमान्त कृषको के लिए एक विशेष आवटन कार्य के अधीन गावो (ग्रामीण क्षेत्रो) मे गृह स्थलो का आवटन किया जा सके, अर्थात्—

1 **सक्षिप्त नाम, विस्तार और प्रारम्भ**—(1) इन नियमो का नाम राजस्थान पचायत (सामान्य) (अनुसूचित जातियो एव जन जातियो, भूमिहीन व्यक्तियो ग्रामीण शिल्पियो और छोटे और सीमान्त कृषको को निवासीय गृह स्थलो के लिए आबादी भूमि का विशेष आवटन) नियम, 1981 है ।

(2) इनका विस्तार राजस्थान के समस्त गावो पर होगा, सिवाय राजस्थान नहर परि-योजना क्षेत्र के उन गावो के जो राजस्थान उपनिवेशन अधिनियम के अन्तर्गत आते है और जो ग्रामदान गाव है ।

(3) ये राजस्थान राज-पत्र मे प्रकाशित होने पर तुरन्त प्रवृत्त होगे ।

2 परिभाषाए —इन नियमो मे, जब तक सदर्भ द्वारा अन्यथा अपेक्षित न हो—

(क) "आवटन अधिकारी" से इन नियमो के प्रयोजनार्थ ग्राम पचायत, विकास अधिकारी और प्रसार अधिकारी अभिप्रेत है,

(ख) "भूमि" मे ग्रामीण क्षेत्र मे आने वाली और सक्षम प्राधिकारी द्वारा सम्प्रर्वित आबादी भूमि अभिप्रेत है और इसमे आबादी के लिए अर्जित भूमि भी है, किन्तु इसमे चक, गोचर, वन आबादी सहित निष्क्रान्त भूमि नहीं है।

(ग) "परिवार" से कोई व्यक्ति उसका/उसकी पति/पत्नि आश्रित सन्तान और माता पिता अभिप्रेत है, परन्तु माता-पिता के परिवार मे उसके साथ रहने वाला वयस्क और विवाहित पुत्र अलग माना जावेगा।

(घ) "स्थल" से ऐसा भूखण्ड अभिप्रेत है जो गृह स्थल के आवटन के लिए चिन्हित किया गया है।

3 आवटन के लिए पात्रता—निम्नलिखित प्रवर्ग नि शुल्क आवटन के लिए पात्र होंगे—

(क) अनुसूचित जातिया,
(ख) अनुसूचित जन जातियाँ,
(ग) भूमिहीन व्यक्ति,
(घ) ग्रामीण शिल्पी,
(ङ) छोटे कृषक, और
(च) सीमान्त कृषक.

परन्तु यह कि आवटन चाहने वाला ऐसा व्यक्ति राजस्थान का सद्भावी निवासी हो और जिसके स्वामित्व मे उसके नाम पर या उसके परिवार के किसी सदस्य के नाम पर राजस्थान मे किसी भी स्थान पर किसी आबादी या कृषि भूमि मे कोई गृह या गृह स्थल न हो।

4 आवटन की प्रक्रिया—(1) आवटन प्राधिकारी पात्र व्यक्तियो को पहचानेगा, आवेदन पत्र प्राप्त करेगा और आवश्यक समीक्षा के पश्चात् मजमा आम मे आवटन आदेश पारित करेगा।

(2) (क) मजमा आम मे इस प्रकार आवटित किए जाने के तीन दिन के भीतर पट्टा भी जारी किया जावेगा।

(ख) ऐसे आवटितियो को भी पट्टा जारी किया जा सकेगा जिन्हे 19 जनवरी, 1975 से 31 जनवरी, 1976 तक गृह स्थलों के आवटन की क्रैश स्कीम के दौरान गृह स्थल आवटित किए गये थे।

(ग) उन आवटितियों को भी पट्टा जारी किया जा सकेगा जिनके मामले राजस्थान आवासन सहकारी सोसायटी से ऋण प्राप्त करने हेतु 31 दिसम्बर 1980 से पूर्व लम्बित है।

5 घोषणा—आवेदक आवेदन-पत्र पर यह घोषणा भी करेगा कि वह राजस्थान का सद्भावी निवासी है व उसके स्वामित्व मे स्वय उसके नाम पर या उसके परिवार के सदस्यो म से किसी के नाम पर राजस्थान मे किसी स्थान पर किसी आबादी या कृषि भूमि मे कोई गृह स्थल नही है।

6 आवटन की शर्तें—

(क) 150 वर्ग गज का भू खण्ड नि शुल्क आवटित किया जायेगा।

(ख) उक्त भूमि पर गृह सन्निर्माण हेतु ऋण प्राप्त करने के लिए उसे किसी आवासन सहकारी सोसाइटी, अनुसूचित बैंक या किसी भी लोक सस्था अथवा राजकीय विभाग को बन्धक करने के अधिकार के सिवाय आवटित को अन्य कोई अन्य सक्रामक अधिकार नही होगा।

(ग) यदि ग्राम पचायत, व्यक्तियों के उपर्युक्त प्रवर्गो की भूमि का आवटन 15 दिन की विहित कालावधि के भीतर करने मे असफल रहती है तो आवटन सम्बन्धित विकास अधिकारी द्वारा प्रसार अधिकारियो के मार्फत किये जावेंगे।

7 व्यावृत्ति—राजस्थान पचायत (सामान्य) नियम, 1961 म किसी बात के होते हुए भी इन नियमो के उपबन्ध भूमिहीनो, अनुसूचित जातिया, जन जातिया, ग्रामीण शिल्पियो और छोटे एव सीमान्त कृषको को निवासीय गृह स्थलो क लिए भूमि के आवटन के लिए लागू होंग।

यह अधिसूचना 31 दिसम्बर, 1981 तक प्रभावी होगी।

# जन अभियोग निराकरण विभाग के कार्य कलाप

अधिसूचना स एफ 2 (20) जी. ए /ए./71, दि 24/26 जुलाई, 1971

## विभाग की स्थापना

1 राज्य सरकार ने, राज्य स्तर पर एक ऐसा सगठन तुरन्त प्रभाव से स्थापित करने का निर्णय किया है। जो जनता एव राज्य सरकार के कर्मचारियो के अभियोगो (शिकायतो) की सुनवाई करने के पश्चात् उन पर आवश्यक कार्यवाही करेगा । यह सगठन जन अभियोग निराकरण विभाग कहलायगा। इस सगठन के अध्यक्ष को 'आयुक्त, जन अभियोग निराकरण'' के रूप मे (पदनाम) (Designation) किया जावेगा और वह राज्य सरकार के पदेन-सचिव (ez-officio) भी होगे । इसका कार्यालय जयपुर मे सचिवालय मे स्थित होगा ।

2 कार्य कलाप-इस सगठन के मुख्य कार्य-कलाप विभिन्न विभागो द्वारा शिकायतो के निपटने मे होने वाले विलम्ब, व उनका जन अभियोग निराकरण की ओर ध्यान नही देने से कारणो की जाच करना होगा । विलम्ब की परिभाषा एक विभाग से दूसरे विभाग म ही भिन्न-भिन्न नही होगी वरन् वास्तव मे वह एक मामले से दूसरे मामले मे भी अलग-अलग होगी । इसलिए प्रत्येक विभागाध्यक्ष एव शासन सचिव यह निश्चित करेगें कि उनके विभाग के सम्बन्ध मे विभिन्न प्रकार के मामलो प्रार्थना/आवेदन पत्रो आदि के निपटाने के लिए उचित समय क्या होना चाहिये । आयुक्त, जन अभियोग निराकरण विभाग, सम्बन्धित विभाग से परामर्श कर समय समय पर यह राय देगा कि निराकरण की कार्यवाही हेतु निश्चित की गई समयावधि को कम किया जावे या और बढाया जावे । राज्य सरकार द्वारा जारी किये गये आदेशो के क्रियान्वयन म होन वाले विलम्ब की सम्बन्धित विभाग भी जाच करेगा विशेष कर मन्त्री मन्डल के आदेशो के क्रियान्वयन (implementation) म होन वाले विलम्ब की विशेप रूप से जाच करेगा । और अत्यधिक (gross) विलम्ब वाले मामलो को छाटकर उनकी ओर विशेष ध्यान दिलायेगा । भ्रष्टाचार एव कदाचार (mal pratices) या विभिन्न सरकारी सगठनो विभागो द्वारा किये गये निर्णय के सम्बन्ध म तथाकथित अनौचित्य (impropriety) के मामलो पर यह विभाग कोई कार्यवाही नही करेगा । पश्चातवर्ती प्रकार (latter–cases) क बहुत ही स्पष्ट मामलो को यह विभाग अपने स्वविवेक के अनुसार या मुख्यमन्त्री, प्रभारी मन्त्री या मुख्य सचिव द्वारा विशेष रूप से कहा जाने पर हाथ मे लेगा । न्यायालयो के विरुद्ध विलम्ब सम्बन्धी शिकायतो पर यह विभाग सीधे ही कोई कार्यवाही नही करेगा लेकिन इस सम्बन्ध मे आयुक्त जन निराकरण विभाग सबन्धित न्यायालय मे सम्पर्क (lison) रख सकता है जिससे कि जनता की शिकायतो मे होने वाले विलम्ब और न्यायालयो द्वारा उन पर ध्यान नही देने के मामलो की सूचना उच्च न्यायालय को दी जा सके जो उनके सम्बन्ध मे आवश्यक निर्देश जारी करेगा ।

3. शिकायतो की प्राप्ति और जाच की प्रक्रिया आयुक्त सीधे ही मन्त्रियो या सम्बन्धित विभाग के शासन सचिवों के मार्फत प्रार्थना-पत्र या आवेदन पत्र प्राप्त कर सकता है । शासन सचिव से नीचे पद का कोई भी अधिकारी किसी भी मामले के सम्बन्ध मे आयुक्त, जन अभियोग निराकरण विभाग को सदर्भ नही करेगा । प्रार्थना पत्रो/आवेदन पत्रो की प्राप्ति के पश्चात आयुक्त उनकी सवीक्षा (scrutiny) कर यह निर्णय करेगा कि क्या उन्हे निपटाने या प्रतिवेदन प्राप्त करने के लिए सम्बन्धित

विभाग को प्रेषित किये जावे या उनके सगठन (जन अभियोग निराकरण विभाग द्वारा ही जाच की जावे। सामान्य तौर पर सम्बन्धित विभागो के अधिकारियो के द्वारा ही जाच करवाई जावेगी। केवल गम्भीर एव आवश्यक/शीघ्रता के मामलो या ऐसे मामलो जिनमें सबधित विभाग की ओर से कोई उत्तर नहीं आ रहा हो, मे यह सगठन अपनी ओर से सीधे ही जाच करेगा। अन्य मामलों म आयुक्त अपने सगठन के माध्यम से सीधा जाच आरम्भ करवा सकती है, यदि उसमे कोई अन्य विशेष प्रकार के तथ्य हो।

ऐसे समस्त मामलो जिनमे आयुक्त जन अभियोग निराकरण विभाग द्वारा किसी सरकारी अधिकारी की टीका टिप्पणी मागी गई हो वह अपनी टिप्पणी पत्र प्राप्त होने के 15 दिन की अवधि मे प्रेषित करेगा। यदि कोई अन्य समयावधि आयुक्त द्वारा निश्चित नही की गई हो। यदि ऐसा सम्भव नही हो तो कोई अन्तरिम उत्तर आयुक्त अनिवार्य रूप से भेजा जावे। ऐसे पत्रो के सम्बन्ध मे किसी विशेष प्रकार के प्रपत्र विहित किये जा सकते हैं जिनमे मागी गई सूचना प्रथम आधे पार्श्व (margin) मे दर्शाई जावे और सम्बन्धित अधिकारी का उत्तर द्वितीय आधे पर्श्व मे लिखा दिया जावे।

आयुक्त, जन अभियोग निराकरण विभाग को यह अधिकार है कि वह शासन के किसी भी राजपत्रित अधिकारी से सीधे ही पत्र व्यवहार करे और जाच सम्बन्धी आवश्यक प्रामणिक सूचना सीधे ही प्राप्त करे। इस प्रकार के मामले मे आयुक्त मे भेजे गये पत्रों एव सम्बन्धित अधिकारियो द्वारा भेजे गये उत्तरो की प्रतिलिपिया सम्बन्धित विभागाध्यक्ष को अवश्य ही पृष्ठांकित की जावे।

किसी मन्त्री द्वारा भेजे गये पत्रों के मामलो मे, आयुक्त द्वारा कोई और सवीक्षा नही की जावेगी जब तक कि उस मामले मे जाच करने के आदेश नही दिये जावे। यह आशा की जाती है कि, जाच हेतु कागजात भेजने के पूर्व सम्बन्धित मन्त्री के निजी सचिव द्वारा पूर्ण सवीक्षा की जाती है।

4 **अनाम या छद्म नाम पत्र**—अनाम या छद्मनाम वाले आवेदन पत्रों को आयुक्त, जन अभियोग निराकरण विभाग स्वीकार नहीं करेगा।

5 **जन अभियोग निराकरण विभाग के अधिकारी द्वारा जाच**—ऐसे अधिकारी जिसके कार्यालय मे जाच की जानी है उसकी हैसियत पर विचार कर जन अभियोग निराकरण विभाग का उचित हैसियत का अधिकारी भेजा जावेगा। जहा किसी सचिव या उप सचिव के विरुद्ध जाच करना आवश्यक हो, सामान्य तौर पर आयुक्त द्वारा स्वय ही जाच की जानी चाहिये। अन्य अधिकारियो के विरुद्ध उप आयुक्त जाच कर सकेगा।

6 **विभाग का कार्य**—क्षेत्र इस विभाग का कार्य क्षेत्र, समस्त सरकारी विभागा सार्वजनिक क्षेत्र के उपक्रमो (जिनमे निगम सम्मिलित लेकिन न्यायिक सेवा नही) मे जाच करवाना होगा। स्थानीय निकायों या नगरीय विकास न्यासो (U.I T) के विरुद्ध शिकायतो की जाच यह सगठन नही करेगा। राज्य सरकार के समस्त अधिकारियो/कर्मचारियो जिनम विभागाध्यक्ष एव शासन सचिव शामिल है के विरुद्ध शिकायतो की जाच यह सगठन कर सकता है। फिर भी वृहद विभागाध्यक्षो एव शासन सचिवो के विरुद्ध जाच के मामलो मे जाच प्रारम्भ होने के पूर्व मुख्य सचिव की पूर्व अनुमति ली जानी चाहिये।

7. अभिलेख प्राप्त करना एव बयान लेना आदि आयुक्त और उसके अधिकारीगण, जाच करने के प्रयोजनार्थ निम्न कार्यवाही कर सकते है—

(क) अमुक/विशेष फाइलो, दस्तावेजो आदि की माग।

(ख) फाइलो, दस्तावेजो एव कागजातो को कब्जे मे करना ।

(ग) किसी व्यक्ति या अधिकारी/कर्मचारी की जाच मे सहायता प्राप्त करना ।

(घ) यदि किसी विशेष मामले मे किसी कार्यालय मे निरन्तर विलम्ब होने की शिकायत हो तो उन कार्यालयो का निरीक्षण किया जा सकता है, लेकिन मुख्य सचिव के कार्यालय का निरीक्षण का इस प्रकार निरीक्षण नही किया जावेगा

(ङ) जनता और सरकारी अधिकारियो/कर्मचारियो के बयान क्रमलबद्ध करना, अतिरिक्त विभागाध्यक्षो, खण्ड स्तर अधिकारियो, शासन सचिवो, उप महानिरीक्षक पुलिस और अधीक्षक पुलिस के, जिनके लिए यह आवश्यक होगा कि वे किसी विशेष मामलो मे अपने बयान लिख कर भेजेंगे ।

8 आयुक्त की सिफारिश—(क) प्रारम्भिक जाँच की जाने के पश्चात् आयुक्त किसी राजपत्रित अधिकारी के मामले मे कार्मिक/नियुक्ति विभाग को और अराजपत्रित अधिकारी के मामले मे सबधित विभागाध्यक्षो या कार्यालयाध्यक्ष को यह सिफारिश करेगा कि सम्बन्धित अधिकारी कर्मचारी को निलम्बित किया जावे या आरोप पत्र दिया जावे । इन अधिकारियो का उत्तरदायित्व होगा कि वे राजस्थान सिविल सेवा (वर्गीकरण, नियन्त्रण और अपील) नियमो या अन्य प्रासगिक नियमो के अन्तर्गत दोषी व्यक्तियो से जवाब तलब करे एव उपयुक्त दण्ड आरोपित करे ।

(ख) निलम्बन एव आरोप पत्र सम्बन्धी शक्तिया—निलम्बन एव आरोप पत्र सम्बन्धी शक्तिया इस सगठन के आयुक्त को प्राप्त नही होगी । सामान्य तौर पर दोषी व्यक्तियो को निलम्बित करने या आरोप पत्र जारी करने की सिफारिश आयुक्त द्वारा विभाग के सम्बन्धित नियुक्ति प्राधिकारी को की जावेगी ।

(ग) सामान्यत सम्बन्धित प्राधिकारी आयुक्त की सिफारिश से सहमत होगा । यदि वह असहमत हो या आयुक्त द्वारा निश्चित समयावधि म सिफारिश की अनुपालना नहीं की जावे तो आयुक्त इस तथ्य को मुख्य सचिव और मुख्य मत्री के ध्यान मे आवश्यक आदेश हेतु लायेगा ।

9 सचिवालय मे नियमावलिया पेश करने का माध्यम—सचिवालय स्तर पर ये कागजात सम्बन्धित विभाग के सचिव, मुख्य सचिव सम्बन्धित मत्री एव मुख्य मत्री के माध्यम से पेश किये जावेंगे । विभागो के स्तर पर इन कागजातो पर सम्बन्धित विभाग के सचिव से निम्न स्तर पर कोई कार्यवाही नही होगी ।

10 प्रक्रिया (Procedure) मे परिवर्तन—आयुक्त जन अभियोग निराकरण सम्बन्धित कानून (विधि), नियमो, प्रक्रियाओ, परम्पराओ (Procedure) मे परिवर्तन करने हेतु सिफारिश कर सकता है, यदि उसे यह महसूस हो कि इस प्रकार के परिवर्तन के बाद को शीघ्रतापूर्वक निपटाया जा सकेगा जिसके फलस्वरूप शिकायतो/जन अभियोग के निराकरण मे गति आ जावेगी ।

11 फौजदारी मामले—जाँच करते समय यदि इस सगठन के अधिकारी को यह मालूम हो कि किसी विशेष मामले म कोई फौजदारी मामला बनता है तो, सम्बन्धित विभागाध्यक्ष या उसके अधीनस्थ अधिकारी को यह लिखा जावेगा कि तुरन्त ही उसकी रिपोर्ट पुलिस या भ्रष्टाचार विरोधी विभाग मे की जावे । यदि ऐसी रिपोर्ट तुरन्त ही पेश नही हो तो, यह सगठन भी पुलिस या भ्रष्टाचार विरोधी विभाग को यह सूचना प्रेषित कर सकता है ।

**12, जन अभियोग का निराकरण**—कदाचार (mal practice) समाप्त करने या शिकायतो को दूर करने के समान महत्व है। जाच के पश्चात् या यदि (Privafacie) बनता हो तो जांच के पूर्व, जन अभियोग निराकरण का आयुक्त उसके सक्षम होगा कि वह विभाग को ऐसी कार्यवाही करने की सिफारिश करे जिससे अभियोग का निराकरण किसी निश्चित अवधि मे हो जावे। यदि विभाग उससे असहमत हो या बिना किसी यथोचित कारण के शिकायत/अभियोग का निराकरण करने मे असफल हो तो वह मामला मुख्य सचिव, सम्बन्धित मत्री एव मुख्यमत्री को आवश्यक आज्ञा के लिये पेश किया जावे।

**13. सरकारी कर्मचारियो की शिकायतें**—सरकारी कर्मचारियो के केवल निम्न प्रकार के मामले ही इस सगठन द्वारा स्वीकार किया जावे एव सगठन द्वारा उनमे जाच की जावे—

1. केवल पेंशनरो के वेतन स्थिरीकरण।

2. सरकारी कर्मचारियो के ऐसे मामले जिनमें तीन वर्ष से अधिक समय पश्चात् भी उन्हे स्थाई नही किया गया है।

3 पेंशन एव ग्रेच्यूटी के मामले।

4. तीन माह से अधिक समय तक वेतन प्राप्त नही होने वाले मामले।

5 मृत या सेवा निवृत सरकारी कर्मचारियो द्वारा बीमा राशि नही मिलना।

6 निलम्बन के मामले जिनमे दो वर्ष से अधिक समय से निलम्बित रह रहे हो।

सरकारी कर्मचारियो के अन्य प्रकार के मामले इस सगठन द्वारा स्वीकार नही किये जायेगे जब तक कि विशिष्ट रूप से निर्देश नही दिये जावे।

**14 विभिन्न विभागो का उत्तरदायित्व (responsibility)**—अपने स्वय के विभाग के मामलो मे समय शासन सचिवो या विभागाध्यक्षो या अन्य अधिकारियो को दी गई विद्यमान शक्तिया आज के समान चलती रहेगी और यह नया सगठन केवल उनके प्रयत्नो मे सहायता करेंगे। ऐसा नही होगा कि शासन सचिव, विभागाध्यक्ष या अन्य अधिकारी अपने विभाग की उचित व्यवस्था करने या उनको अधिकारी के विरुद्ध सीधे ही प्राप्त शिकायता मे जांच करने का उत्तरदायित्व त्याग दें।

**15 अनुपालना नहीं करने पर दण्ड**—यदि राज्य सरकार या सरकार द्वारा नियन्त्रित उपक्रम का कोई अधिकारी या कर्मचारी इन आज्ञाओ की पालना करने मे असफल होगा तो उसकी असफलता को कदाचार (misconduct) माना जावेगा जो राजस्थान सिविल सेवा (वर्गीकरण, नियत्रण एव अपील) नियमो या प्रासगिक (correspondancy) नियमों के अन्तर्गत दण्डनीय होता है।

**सारणियां और रिटर्नस**—सगठन द्वारा किये गये काम की त्रैमासिक सारणियां एव वार्षिक प्रतिवेदन मुख्य सचिव और मुख्य मन्त्री की सूचनार्थ पेश किये जायेंगे। वार्षिक प्रतिवेदन मत्री मण्डल के सम्मुख भी प्रस्तुत किया जावे।

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# राज्य कर्मचारी बीमा नियम

**राज्य बीमा विभाग, राजस्थान, जयपुर**

राजस्थान सरकार के प्रत्येक अधिकारी व कर्मचारी का राज्य बीमा विभाग द्वारा बीमा किया जाना आवश्यक है। केवल ऐसे व्यक्ति जिनकी नियुक्ति अस्थायी रूप से निर्धारित समय के लिये अथवा अनिश्चित अवधि के लिये हुई है और उनके स्थायी होने की सम्भावना नही है, इस विभाग द्वारा बीमा करना आवश्यक नही है।

राज्य अधिकारियो/कर्मचारियो की जानकारी के लिए निम्नलिखित हिदायतें प्रसारित की जा रही है ताकि वे अपने बीमे के सम्बन्ध मे पूरी जानकारी प्राप्त कर सकें व बीमे का लाभ उठा सकें।

**बीमा कटौती :**

1. क्या प्रीमियम की कटौती प्रति माह आपके वेतन से हो रही है ?
2. क्या प्रीमियम की कटौती निर्धारित दर पर हो रही है ?

**प्रथम बीमा कटौती--**

3. यदि आपकी नियुक्ति माह मार्च से पहले हुई है तो क्या आपके वेतन माह मार्च से प्रथम बीमा कटौती करली गई है।
4. यदि आपकी नियुक्ति मार्च के बाद किसी भी माह मे हुई है तो आगामी मार्च के वेतन से आपकी प्रथम कटौती की जाती है।

5 माह मार्च के वेतन बिल जिससे आपकी प्रथम कटौती की गई है क्या आपके द्वारा प्रथम घोषणा पत्र पूर्ति कर तथा आपके विभागाध्यक्ष द्वारा प्रमाणित कर सलग्न किया गया है। प्रथम घोषणा पत्र के सभी प्रश्नो का उत्तर साफ-साफ तथा पूर्ण रूप से दिया जाना चाहिये। घोषणा-पत्र अपूर्ण होने की दशा मे आपके जीवन पर जोखिम वहन करने मे विलम्ब होगा।

6. घोषणा पत्र मे अपनी/कर्मचारी की जन्म तिथि सेवा पुस्तिका मे अंकित जन्म तिथि के आधार पर ही दी जावे। यदि जन्म तिथि म बाद मे कोई परिवर्तन किया जावे तो उसकी सूचना अविलम्ब विभाग के उच्च अधिकारी के माध्यम से इस विभाग के रेकार्ड मे संशोधन कर पालिसी मे भी संशोधन किया जा सके।

7. क्या आपके वेतन मे हुई प्रथम कटौती के सम्बन्ध मे आपके नाम सम्बन्धित जिले के बीमा सहायक से प्रथम कटौती पंजीयन संख्या प्राप्त हो गई है। यदि नहीं तो सम्बन्धित बीमा सहायक से सम्पर्क करें।

8. यदि प्रथम कटौती संख्या प्राप्त हो गई है तो वेतन बिलों के साथ भेजे जाने वाले बीमा कटौती पत्रो मे आपके नाम के सम्मुख यह संख्या तब तक अंकित करते रहें जब तक आपके जीवन पर बीमा पालिसी जारी नही होती।

9 बीमा पालिसी जारी होने पर तथा उसकी प्राप्ति पर बीमा कटौती पत्रों मे प्रथम कटौती पंजीयन संख्या के स्थान पर पालिसी संख्या अंकित करें। यह निर्णय कर लेवें कि आपके नाम के सम्मुख सही पालिसी संख्या स्पष्ट अक्षरो मे अंकित की गई है अन्यथा आपके वेतन से हुई कटौतियो का आपके खाते मे समायोजन नही हो सकेगा।

10. क्या आपको प्राप्त पालिसी मे मे सभी विवरण सही अंकित है। यदि नही तो तुरन्त इसकी सूचना इस विभाग को दी जावे।

11 इस विभाग से पत्र व्यवहार करते समय आपके जीवन पर जारी पालिसी सख्या अनिवार्य रूप से अंकित करें अन्यथा पत्रोत्तर मे विलम्ब तो होगा ही एवम् आपके मामले मे अग्रिम कार्यवाही किया जाना भी सम्भव नही हो सकेगा।

मनोनयन—

12. क्या आपने मनोनीत व्यक्ति की नियुक्ति कर दी है और इसकी सूचना इस विभाग से आपको प्राप्त हो गई है। यदि नही तो अविलम्ब मनोनीत व्यक्ति की नियुक्ति हेतु इस विभाग से पत्र व्यवहार करें। आपकी सूचनार्थ यह निवेदन है कि मनोनीत व्यक्ति केवल निम्न मे से ही हो सकता है :—माता, पिता, भाई, बहिन, पत्नी, पति, पुत्र एव पुत्री।

यदि आप किसी कारण हेतु मनोनीत व्यक्ति बदलना चाहे तो पत्र व्यवहार द्वारा करा सकते है। मनोनयन बदलने हेतु मनोनयन पत्र 5 व 6 भरा जाने पर एव बीमा विभाग द्वारा स्वीकृत होने पर मनोनयन बदला जा सकता है।

अधिक कटौती :—

13 जब आपका वेतन बढ़कर एक वेतन खण्ड से दूसरे वेतन खण्ड मे आता है तो आपके वेतन माह मार्च से अधिक कटौती कराना अनिवार्य है। यदि वेतन मे बढोतरी मार्च से पहले अथवा बाद मे हुई है तो अधिक कटौती केवल आगामी माह मार्च के वेतन से होगी। अत आप यह निश्चय कर लेवें कि नियमानुसार अधिक कटौती की जाती है।

14 क्या आप द्वारा अधिक कटौती के सम्बन्ध म अधिक घोषणा पत्र की पूर्ति कर तथा आपके विभागाध्यक्ष द्वारा प्रमाणित किया जाकर वेतन बिल के साथ जिला कोष कार्यालय को भिजवा दिया गया है। अधिक घोषणा पत्र म सही पालिसी सख्या निर्धारित कालम के सम्मुख अंकित करना न भूले अन्यथा आपके जीवन पर अधिक कटौती की जोखिम वहन करने मे विलम्ब होगा।

15 यह ध्यान रखें कि आपके वेतन से हुई अधिक कटौती के आधार पर आपके जीवन पर जोखिम वहन कर आपके पास जोखिम पत्र प्राप्त हो गया है।

16 कृपया 3 वर्षो मे एक बार अपनी पालिसी जोखिम पत्रो सहित इस विभाग को उसमे अधिक कटौतियो के इन्द्राज हेतु भिजवा दे।

ऋण . —

17. आपकी पालिसी पर निम्न कारणो पर सम्पूर्ण मूल्य के 90% प्रतिशत तक ऋण दिया जाता है :—

(1) बीमेदार या उसके परिवारजनो की किसी गम्भीर बीमारी के लिये।

(2) चिकित्सक की राय पर बीमेदार अथवा उसके परिवार के सदस्य द्वारा किये जाने वाली यात्रा के व्यय हेतु।

(3) बीमेदार की हैसियत के अनुसार वैवाहिक, मृतक, धार्मिक उत्सवो पर होने वाले व्यय की पूर्ति हेतु।

(4) बीमेदार एव उसके परिवार के रहने के लिए मकान बनवाने हेतु (परन्तु मरम्मत के लिए नही।)

(5) बीमेदार अथवा उसके परिवार की उच्च एव तकनीकी शिक्षा के व्यय हेतु।

18. ऋण प्रार्थना पत्र सादे कागज पर उपरोक्त मे से एक कारण का तथा सही पालिसी सख्या का उल्लेख करते हुए अपने विभाग के उच्चाधिकारी के माध्यम से इस विभाग को भिजवाया जावे अन्यथा आपके प्रार्थना पत्र पर कोई अग्रिम कार्यवाही किया जाना सम्भव नही हो सकेगा।

19. ऋण स्वीकृति पत्र प्राप्त होने पर अपने एव उच्चाधिकारी के हस्ताक्षर करा कर इस विभाग को लौटावें।

20. अग्रिम ऋण, पूर्व में लिये गये ऋण के एक वर्ष की अवधि पूरा होने के बाद ही स्वीकृत होगा अथवा ऋण राशि पूर्णतया चुकाये जाने के बाद अग्रिम ऋण स्वीकृत किया जा सकता है, इन दोनों अवस्थाओं में से जो भी पहले हो।

21. ऋण की वापसी प्रीमियम कटौती की राशि के बराबर मासिक किश्तों में होगा। यदि कर्मचारी चाहे तो इससे अधिक दर से कटौती करा सकता है।

22. ऋण ब्याज की कटौती ऋण की मूल राशि चुकाये जाने के बाद की जावेगी जो उसी राशि के बराबर किश्तों में होगी जिनमें ऋण राशि की कटौती की गई है। ऋण पर 6% प्रतिशत की दर अथवा राज्य सरकार द्वारा समय समय पर घोषित की गई दर से ब्याज देय होगा।

परिपक्वता स्वत्व :—

23 आपके जीवन पर जारी पालिसी के अन्तर्गत परिपक्वता स्वत्व की राशि उस तिथि को देय होती है जो आपकी पालिसी मे "परिपक्वता तिथि" के कालम मे दी गई है।

24 यदि आपकी पालिसी परिपक्व हो गई है तो यह देखे कि क्या वांछित स्वत्व प्रपत्रादि पूर्ति कर इस विभाग को भिजवा दिये गये है।

25 स्वत्व राशि परिपक्वता तिथि को बीमेदार को प्राप्त हो जाये इसके लिए इस विभाग द्वारा परिपक्वता तिथि 3 माह पूर्व स्वत्व प्रपत्रादि पूर्ति हेतु भिजवा दिये जाते है। यदि ये प्रपत्र प्राप्त नही होते हैं तो कृपया इस विभाग को तुरन्त सूचित करें।

26 स्वत्व प्रपत्रों में सभी प्रश्नो का उत्तर पूर्णतया एवं स्पष्ट रूप से देवें तथा मूल बीमा पालिसी सहित इस विभाग को भिजवायें।

मृत्यु स्वत्व —

27 किसी कर्मचारी की परिपक्वता तिथि से पूर्व दुर्भाग्यवश मृत्यु होने की दशा मे पालिसी के अन्तर्गत मृत्यु स्वत्व देय होता है। अत कर्मचारी की मृत्यु की सूचना अविलम्ब इस विभाग को भिजवाये।

28. मृत्यु स्वत्व प्रपत्रादि प्राप्त होने पर शीघ्रातिशीघ्र पूर्ति कर इस विभाग को लौटावें ताकि मनोनीत को स्वत्व की राशि का भुगतान शीघ्र किया जा सके।

अध्यर्पण स्वत्व —

29 यदि कर्मचारी 55 वर्ष की आयु से पूर्व किसी कारणवश राज्य सेवा से मुक्त हो जाता है तो उसको निम्न तीन विकल्प (Options) दिये जाते है —

(क) पालिसी समर्पित कर समर्पण मूल्य लेना (Surrender)

(ख) पालिसी के अन्तर्गत भविष्य मे देय प्रीमियम न देकर परिदत्त मूल्य (Paid up) हेतु परिवर्तित करवाना।

(ग) बीमा पालिसी को प्रीमियम का चुकारा कर जारी रखना।

30 जैसे ही कोई कर्मचारी राज्य सेवा मे मुक्त हो तो इसकी सूचना इस विभाग को भिजवायें।

31 यदि कर्मचारी समर्पण मूल्य लेने का निर्णय लेता है तो उस विकल्प पत्र मे इस निर्णय के सम्मुख सही का निशान लगा मूल पालिसी सहित इस विभाग को लौटा देना चाहिये।

32. पालिसी को परिदत्त मूल्य से परिवर्तित कराने हेतु विकल्प पत्र मे इसके सम्मुख सही का निशान लगा कर मूल पालिसी सहित इस विभाग को भिजवा दिया जावे। मूल पालिसी मे परिदत्त मूल्य सम्बन्धी टिप्पणी दी जाकर कर्मचारी को लौटा दिया जावेगा।

33. यदि कर्मचारी पालिसी जारी रखना चाहता है तो वह प्रीमियम, मासिक, त्रैमासिक, अर्द्ध वार्षिक अथवा वार्षिक मनीआर्डर, चैक, अथवा बैंक ड्राफ्ट से जो निदेशक बीमा के नाम से ही होना चाहिये भेजे जावें।

विविध :—

34. इस विभाग से पत्र व्यवहार करते समय अपनी पालिसी संख्या सही एवं स्पष्ट रूप से लिखें ताकि यह विभाग आपके मामले में अग्रिम कार्यवाही अविलम्ब करने में सक्षम हो सकें।

35 नियमान्तर्गत आप स्वेच्छा से अपने वेतन खण्ड के दुगुने तक बीमा कटौती करा सकते है। 1/2 गुणा से अधिक कटौती की जोखिम स्वास्थ्य परीक्षा के आधार पर वहन की जाती है।

36 स्वास्थ्य परीक्षा मे जीवन असामान्य पाये जाने एव कर्मचारी की आयु 50 वर्ष से अधिक हो जाने पर नियमान्तर्गत प्रथम अधिक कटौती का जोखिम वहन नही किया जाता है। ऐसे कर्मचारियों की जी.पी एफ की ओर कटौती करना अनिवार्य है। अत ऐसे मामलो मे कटौती बीमा की ओर न करे तथा इसके स्थान पर जी पी एफ. की ओर कटौती प्रारम्भ कर देवें।

37 जो कर्मचारी पचायत समितियो/जिला परिषदो के अधीन कार्य कर रहे हैं वे इस बात से आश्वस्त हो जावें कि उनके वेतन से प्रतिमाह कटौती कर ली गई है तथा प्रत्येक माह उनकी कटौती की राशि कोष/उपकोष मे बीमा मद मे जमा कराकर बीमा कटौती पत्र सबन्धित जिले के बीमा सहायक जो सभी कोष कार्यालयो मे तैनात है, भिजवा दिये गये हैं। यह इसलिये आवश्यक है कि जब तक कटौती की राशि बीमा मद मे जमा नही होगी तब तक इस विभाग मे उनके खाते मे समायोजन नही हो सकेगा। यद्यपि कटौती उनके वेतन से कर ली गई है। अत प्रत्येक माह विकास अधिकारी अथवा अन्य सक्षम अधिकारी से बीमा कटौती की राशि बीमा मद मे जमा कराये जाने सम्बन्धी सूचना प्राप्त कर लेवें।

38 जो कर्मचारी वन विभाग से सम्बन्धित कार्यालयो मे कार्य कर रहे है वे इस बात का आश्वासन कर लेवें कि बीमा कटौती पत्र एव कटौती सूची (कार्यालय लिस्ट) सम्बन्धित जिले के बीमा सहायक के पास प्रतिमाह भिजवा दिये जाते है अन्यथा उनके वतन से हुइ बीमा कटौती का उनक खातो म समायोजन नही हो पायेगा।

39 इस विभाग के प्रतिनिधि अर्थात् बीमा पर्यवेक्षक/सहायक प्रत्येक जिला मुख्यालय पर कोष कार्यालय मे तैनात है जो आपकी बीमा सम्बन्धी समस्याओ को तात्कालिक समाधान के लिये सदैव तत्पर है। कृपया अपनी किसी भी प्रकार की बीमा सम्बन्धी समस्याओ के लिये उनसे सम्पर्क करें।

40. इस विभाग द्वारा चाही गई सूचनायें एव प्रपत्रादि शीघ्र इस विभाग को भिजवायें ताकि यह विभाग आपकी सेवा करने मे तत्पर हो सके।

41 यह विभाग सदैव आपकी सेवा के लिए तत्पर है अत आप अपना सहयोग हमे देवें ताकि इस बीमा योजना के लक्ष्य की पूर्ति हो सके। यह सदैव याद रखें कि हमारी सफलता आप पर निर्भर है और आपके भविष्य का दु ख सुख समृद्धि इस योजना मे निहित है। अत इसे प्राथमिकता देने का कष्ट करें।

**राज्य बीमा की आकर्षक सुविधाएें—**

1 बीमा विभाग द्वारा की गई बीमा सविदाओ के अधीन देय लाभो एवम् अन्य रकम की राज्य की सचित निधि मे से चुकाये जाने की सरकार गारन्टी देती है, (नियम–6)।

2 कर्मचारी अपनी सुविधानुसार अपने वेतन खण्ड पर देय प्रीमियम के 1–1/2 गुणा तक बिना स्वास्थ्य परीक्षा करवाय तथा दुगने तक स्वास्थ्य परीक्षा करा कर प्रीमियम दे सकता है, (नियम–13)।

3 बीमा प्रीमियम की सीधे ही मासिक वेतन बिलो से कटौती की जाती है, (नियम–13)।

4 इस विभाग द्वारा स्वीकृत बीमा का हस्तान्तरण नही किया जा सकता और ऐसे किसी मामले मे विभाग बीमे के अधीन बीमेदारो या निर्वाहको, प्रशासको या मनोनीत व्यक्ति अथवा व्यक्तियो के अलावा अन्य किसी व्यक्ति द्वारा प्रस्तुत किसी दावे को मान्यता नही देगा (नियम–44)।

5 कर्मचारियो को उचित व्याज की दर एव सरल किश्तो पर नियम मे वर्णित कार्यो के लिए ऋण दिया जाता है (नियम–47)।

6. बीमा नियमो के अनुसरण मे जारी किये गये जीवन बीमा प्रमाण-पत्रो के अधीन देय धन, डिग्री के निष्पादन मे कुर्क एव बिक्री किये जाने से मुक्त है और राज्य कर्मचारी की मृत्यु के कारण किसी अन्य व्यक्ति को देय धन रहते हुए भी ऐसा मारा धन कुर्की मे मुक्त रहेगा (नियम–53)।

(आदेश सख्या F 13 (1) व्य एव प, बीमा/74–75/2125 दिनाक 21 फरवरी, 1975)

# वैरियस इम्पोरटैन्ट रूल्स कम्पेन्डियम के संशोधन

विषय.—राजस्थान राज्य कर्मचारी बीमा नियम, 1983 म सशोधन ।

राजस्थान सेवा नियम, 1951 के नियम 21 के अनुसरण मे राज्यपाल महोदय राजस्थान राज्य कर्मचारी बीमा नियम, 1983 मे निम्नलिखित सशोधन करते हैं .—

उक्त कथित नियमो मे नियम 14 और 54 के अधीन परिशिष्ठ X के सलग्न विद्यमान 'प्रिमियम एव अतिरिक्त प्रिमियम के पट्टी दरो (Slab rates) की सारणी को निम्नलिखित से प्रतिस्थापित किया जावे —

परिशिष्ट—X

प्रिमियम और अतिरिक्त प्रीमियम के पट्टी दरो (Slab-rates) की सारणी जो माह मार्च 1983 के वेतन जो 1–4–1983 को भुगतान योग्य होता है —

| क्र स | वेतन पट्टी (Slab-rates) | प्रीमियम की दर | अतिरिक्त प्रीमियम की दर |
|---|---|---|---|
| 1 | रु 420/– रु तक | 20/– | 1/– |
| 2 | रु 421/– से 540/– | 25/– | 1/– |
| 3 | रु 541/– से 680/– | 35/– | 1/– |
| 4 | रु 681/– स 860/– | 45/– | 2/– |
| 5 | रु 861/– से 1180/– | 60/– | 3/– |
| 6 | रु 1181/– से 1420/– | 85/– | 3/– |
| 7 | रु 1421/– से 1700/– | 115/– | 4/– |
| 8 | रु 1701/– से 2100/– | 145/– | 5/– |
| 9 | रु 2100/– से 2400/– | 175/– | 6/– |
| 10 | रु 2401/– और अधिक | 200/– | 7/– |

2 ये दरें दिनाक 1–4–1983 से लागू होती है अर्थात् माह मार्च, 1983 के वेतन बिल से उपरोक्त दर से प्रीमियम वसूल किया जावेगा । दिनाक 1–9–1981 से 28–2–1983 तक की पहले से की गई बीमा प्रीमियम की वसूली उक्त दरो स प्रभावित नही होगी ।

3 सरकारी कर्मचारी जो राजस्थान सिविल सेवा (पुनरीक्षित वेतनमान) नियम, 1983 के नियम 9 के अन्तर्गत विद्यमान वेतनमान जारी रखते हैं वे अपना बीमा प्रीमियम दिनाक 1–9–81 से प्रभावी दरो से देते रहेंगे ।

(वित्त विभाग आज्ञा क्रमाक एफ 1(11)एफ डी /(ग्रु प-2)/83 दिनाक 17–3–1983 ।

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विषय.—राजस्थान सिविल सेवा (पुनरीक्षित वेतनमान) नियम, 1983 के लागू होने के फलस्वरूप भविष्य निधि के अ शदान की वसूली।

वित्त विभाग आज्ञा क्रमांक एफ 1 (5) एफ डी/ग्रुप-2)/77 दिनांक 31-7-1980, 5-11-1980 और 20-4-1982 के आंशिक अतिक्रमण मे, राज्यपाल महोदय यह आज्ञा देते हैं कि 1-9-1981 से पुनरीक्षित वेतनमान लागू होने के फलस्वरूप सामान्य भविष्य निधि के वसूली दिनाक 1-3-1983 से निम्नलिखित दरो से की जावेगी .—

| वेतन पहिया | अनुदान की दर रु मे (प्रति माह) |
|---|---|
| (i) रु 395/- से कम | रु 12/- |
| (ii) रु 395 और अधिक परन्तु रु 490 से कम | रु 14/- |
| (iii) रु 490 और अधिक परन्तु रु 610 से कम | रु 15/- |
| (iv) रु 610 और अधिक परन्तु रु 740 से कम | रु 23/- |
| (v) रु 740 और अधिक परन्तु रु 1120 से कम | रु 30/- |
| (vi) रु 1120 और अधिक परन्तु रु 1380 से कम | रु 38/- |
| (vii) रु 1380 और अधिक परन्तु रु 1650 से कम | रु 45/- |
| (viii) रु 1650 और अधिक परन्तु रु 2250 से कम | रु 60/- |
| (ix) रु 2250/- से अधिक - | रु 75/- |

2 सामान्य भविष्य निधि के अ शदान की उपरोक्त दरो से वसूली कर्मचारियो के वेतन बिल माह मार्च 1983 जो दिनाक 1-4-1983 को या तत्पश्चात् भुगतान योग्य होता है से की जावेगी। उपरोक्त अनुच्छेद 1 से सदर्भित आज्ञा के अधीन दिनाक 28-2-1983 तक जो वसूलियां पूर्व मे हो चुकी है और सामान्य भविष्य निधि को आकलित (Credit) की जानी है वे अप्रभावित रहेगी।

3 आहरण एव वितरण अधिकारी यह निश्चित करेंगे कि वे सामान्य भविष्य निधि को आकलित करने के लिये उपरोक्त दरो से की गई वसूलियों का उल्लेख मासिक वसूली शिड्यूल प्रपत्र जी ए 77 म किया जावेगा, जिसे प्रत्येक मासिक वेतन बिल के सलग्न करना होगा। इस सम्बन्ध मे विस्तृत निर्देश निदेशक बीमा विभाग, राजस्थान, जयपुर अलग से जारी करेंगे।

(वित्त विभाग अधिसूचना क्रमाक एफ 1 (11) एफ डी/ग्रु.प-2/83 दिनाक 17-3-1983)

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विषय —वाहन क्रय करने हेतु स्वीकृत ऋण के उपयोग नही करने पर उनके विरुद्ध कार्यवाही की जावे ।

उपरोक्त विषयान्तर्गत लेख है कि राज्य कर्मचारियो/अधिकारियो को वाहन खरीदने के लिये स्वीकृत किये जाने वाले ऋण के उपयोग हेतु की जाने वाली अनियमितताओ को रोकने के दृष्टिकोण से इस विभाग के परिपत्र क्रमाक प 9(34)वि मा /80 दिनाक 15 मई, 1980 द्वारा निर्णय लिया जाकर समस्त ऋण स्वीकृत अधिकारियो को यह निर्देश दिये गये थे कि स्वीकृत ऋणराशि का आहरण अधिकारी द्वारा सम्बन्धित कर्मचारी/अधिकारी को नकद भुगतान न किया जाकर जिस फर्म कम्पनी या व्यक्ति से वाहन क्रय किया जा रहा है के नाम डिमाण्ड ड्राफ्ट के रूप म ही बैंक स आहरित की जाकर वाहन क्रय के प्रति भुगतान हेतु दिया जावेगा ।

लेकिन इस परिपत्र के जारी होने से पूर्व वाहन हेतु स्वीकृत किये गये ऋण के उपयोग के सम्बन्ध म कई ऋण स्वीकृत अधिकारियो द्वारा इस विभाग के ध्यान मे यह लाया गया है कि कर्मचारियो से स्वीकृत ऋण से वाहन खरीदने सम्बन्धी आवश्यक दस्तावेज अभी तक उनके कार्यालय म प्रस्तुत नही किये है । इससे यह स्पष्ट होता है कि इस विभाग के परिपत्र दिनाक 15-5-80 से पूर्व स्वीकृत वाहन अग्रिम का अधिकतर कर्मचारियो एव अधिकारियो द्वारा वाहन क्रय करने म उपयोग नही किया गया हैं ।

अत उपरोक्त स्थिति को ध्यान मे रखते हुए यह निर्देश दिये जाते है कि दिनाक 15-5-80 के पूर्व वाहन क्रय हेतु स्वीकृत किय गये ऋणों मे से यदि किसी कर्मचारी/अधिकारी ने स्वीकृत ऋण राशि का नियमानुसार उपयोग नही किया है तो ऐसे मामलो म स्वीकृताधिकारियो को अधिकृत किया जाता है कि वे ऐसे दोषी कर्मचारियो/अधिकारियो के सम्बन्ध म स्वीकृत ऋण राशि व ब्याज की वसूली वित्त (नियम) विभाग द्वारा वाहन क्रय अग्रिम नियमो मे किये गये सशोधित आदेश क्रमाक प 1 (37) वित्त/(ग्रुप-2)/78 दिनाक 10-6-81 म निहित निर्देशानुसार जिला कोषाधिकारी को निर्देश देकर सम्बन्धित दोषी कर्मचारी/अधिकारी के बिल मे से करलें जावें ।

परिपत्र क्रमाक प 9(58) वि मा /79 दिनाक 23 अक्टबर, 1981

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विषय —सरकारी कर्मचारियो को वाहन खरीदने के लिए अग्रिम स्वीकृत करने सम्बन्धी नियम

राज्यपाल महोदय आदेश देते है कि सरकारी कर्मचारी को वाहन खरीदने के लिए अग्रिम स्वीकृत करने सम्बन्धी नियमो म निम्नलिखित सशोधन किये जायेंगे, अर्थात् —

(1) वाहन खरीदने के लिए अग्रिम की राशि और उन किश्तो की सख्या जिनम वह प्रतिसदेय होगी नीचे लिखे अनुसार होगी —

| सरकारी कर्मचारियो का प्रवर्ग जो निम्नलिखित प्राप्त कर रहा है — | वाहन का प्रकार | अग्रिम की राशि | अग्रिम और उस पर ब्याज सहित वसूली हेतु किश्तो की सख्या |
|---|---|---|---|

| | | | | |
|---|---|---|---|---|
| 1. | (i) रु. 1800/– प्रति माह और इससे अधिक | मोटर कार/जीप | 16 माह का वेतन या रु. 30,000/–या मोटर (उसमें) कार/जीप की कीमत, जो भी कम हो। | 120 |
| | (ii) अखिल भारतीय सेवा के अधिकारी, जो रु. 1000/–प्रति माह या इससे अधिक वेतन प्राप्त कर रहे हैं। | ,, | 22 माह का वेतन या रु 30,000/– या मोटर कार जीप की कीमत इसमें से जो भी कम हो। | 120 |
| 2 | रु, 470/–प्रति माह या इससे अधिक | (i) स्कूटर/मोटर साईकल/मोपेड (ii) ट्रायसिकल (केवल अपंग और विकलांग व्यक्तियों के लिए) | 10 माह का वेतन या रु. 5500/–या स्कूटर/मोटर साईकल/मोपेड/ट्रायसिकल आदि की कीमत, इनमें से जो भी कम हो। | 100 |
| 3 | समस्त सरकारी कर्मचारी। | साईकिल | रु 350/–से अधिक नहीं। | 35 |
| 4. | ऊंट सवार। | ऊंट | 6 मास का वेतन या रु 1500/–, ऊंट की कीमत, इनमें से जो भी कम हो। | 90 |

उपर्युक्त संशोधन, दिनांक 1–9–81 से प्रवृत हुए समझे जायेंगे।

वित्त विभाग आदेश क्रमांक प 1 (37) वित्त (ग्रु.प–2)/78 दिनांक 17–2–1983.

## मकान किराया भत्ता नियम मे सशोधन

राज्यपाल महोदय प्रसन्न होकर यह आदेश प्रदान करते है कि सरकारी कर्मचारियो, जिनका पदस्थापन जिला मुख्यालयो को छोडकर अन्य स्थानो माऊट आबू और ब्यावर पर हो उन्हे निम्नलिखित दर स मकान किराया स्वीकृत किया जावें —

| | | |
|---|---|---|
| (i) | सरकारी कमचारियो जिनका पद स्थापन नगरपालिका नगरो पर हुआ हो जहा पर मकान किराया भत्ता वर्तमान मे अनुज्ञेय नही हो। | रु 20/– प्रति माह |
| (ii) | सरकारी कर्मचारियो जिनका पद स्थापन ऐसे स्थानो पर हुआ हो जो उपरोक्त आइटम (1) म नही आते हो। | रु 10/– प्रति माह |

2 उपरोक्त दरा पर मकान किराया भत्ता की स्वीकृति इन शर्तों पर होगी कि मकान किराया भत्ता नियम सरकारी अधिसूचना क्रमांक एफ 12 (2) (i) एफ डी/(ग्रु.प-2)/77 दिनाक 30–3–1977 द्वारा जारी एव समय समय पर सशोधित, की शर्तो के अनुसार हो।

3 मकान किराया भत्ता स्वीकृत करने की पद्धति वही होगी जो मकान किराया भत्ता नियम (सशोधनो सहित) म विहित है। एक प्रार्थी को इन नियमो के अन्तर्गत इन नियमो के अनुलग्नक E या F जैसा भी मामला हो, मे प्रार्थना पत्र पेश करना होगा और उसे इन आज्ञाओ के सलग्न करना होगा।

4 ये नियम (निम्न लिखित) पर लागू नही होगे —

(i) वर्क चार्ज या दैनिक दर आधार पर नियोजित स्टाफ।

(ii) सविद (contract) आधार पर नियोजित कर्मचारी, जब तक कि सविद शर्तो मे विशिष्ट रूप से मकान किराया अनुज्ञेय नही किया गया हो को यह भत्ता स्वीकृत नही किया जायेगा।

5 यह आज्ञा दिनांक 1–4–1982 से प्रभावी होगी। चू कि इस आज्ञा को पूर्व से प्रभावी किया जा रहा है इस के अन्तर्गत मकान किराया माग स्वीकृत करने के लिए यह आज्ञा जारी होने की तारीख से तीन माह के अन्दर दिनांक 1–4–1982 से मकान किराया भत्ता स्वीकृत करने के लिए प्राथना–पत्र दिया जाता हैं परन्तु शर्त यह है कि मकान किराया भत्ता नियमा म दी गई शर्तो की पालना होती है।

6 उपरोक्त अनुच्छेद मे सदर्भित मकान किराया भत्ता नियमो को इस आदेश मं दर्शाये परिवर्तनो के अनुसार परिवर्तित माना जावेगा।

### अनुलग्नक

किराये के मकान में रहने वाले सरकारी कर्मचारियो द्वारा मकान किराया भत्ता क्लेम करन के लिए प्रार्थना–पत्र —

1 नाम

2 पद एव विभाग जिसम नियोजित है

3 मकान मालिक का नाम और किराये क मकान का पूर्ण पता,

4 दिये गये मासिक किराये की दर

5. नियमो के अन्तर्गत अनुज्ञेय मकान किराये भत्ते की राशि,
6 किराये के आवास को कब्जे मे लेने की तारीख

यह प्रमाणित किया जाता है कि:—

(i) मैं किराये के मकान, जो ग्राम/नगर पालिका.....................की सीमा मे स्थित है, मे निवास करता हू ।

(ii) मुझे राजकीय आवास नहीं दिया गया है ।

(iii) जिस मकान के लिये मकान किराया भत्ते का क्लेम किया गया है, उसका कोई भाग उप-किराये पर (sub let) पर नही दिया गया है या उसका कोई भाग मेरे परिवार के सदस्यो, जो मुझ पर पूर्ण रूप से निर्भर है, के अतिरिक्त किसी अन्य को न तो किराये पर (sub let) दिया गया है और न उनके द्वारा उस पर कब्जा किया गया है ।

(iv) मेरी पत्नि/पति न तो सरकारी सेवा मे है और न किसी अन्य सार्वजनिक/व्यक्तिगत सेक्टर मे नियोजित है और न पद स्थापन स्टेशन पर उनको लगाया गया है ।

या

मेरी पत्नि/पति, मेरे पोस्टिंग के स्थान पर सरकारी सेवा या सार्वजनिक/प्राईवेट सेक्टर के अधीन सेवा मे है और यह कि मेरी पत्नि/पति सरकार।अन्य नियोजन से किसी प्रकार का मकान किराया प्राप्त नही करते हैं ।

*(जो लागू नही होता है उसे काट दिया जावें)*

(v) यह प्रमाणित किया जाता है कि मेरे अधीन स्थान के लिये मेरे द्वारा वास्तव मे दिया जाने वाला किराया मुझे अनुज्ञेय मकान किराया भत्ता से अधिक नही है/था ।

(vi) मेरी पत्नि/पति को केन्द्रीय सरकार, राज्य सरकार एव किसी स्वायत्त सार्वजनिक उपक्रम या अर्द्ध राजकीय सगठन द्वारा कोई पारिवारिक आवास उसी स्थान पर जहा मैं रह रहा हू, आवटित नही किया गया है ।

दिनाक

हस्ताक्षर
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कार्यालय अध्यक्ष के उपयोग हेतु
प्रमाणित किया जाता है, कि:—

(1) मैंने मकान किराया भत्ते के क्लेम की जांच कर ली है और मैं सन्तुष्ट हू कि यह क्लेम नियमो के अनुसार है । सरकार द्वारा विहित प्रमाण-पत्र सरकारी कर्मचारी से प्राप्त कर लिये गये हैं ।

(2) मकान किराया भत्ता रु. ......................एतद्‌द्वारा स्वीकृत किया जाता है ।

हस्ताक्षर
(कार्यालय अध्यक्ष)
पद
दिनांक......................

दिनाक

अनुलग्नक

स्वय के (owner) या उसकी पत्नि/पति/सतान/पिता/माता या हिन्दू अविभाजित परिवार के सहभागी (copartner) आवास मे रहने वाले सरकारी कर्मचारी के सम्बन्ध मे मकान किराया भत्ता प्राप्त करने के लिये प्रार्थना-पत्र का प्रपत्र —

1 नाम

2 पद एव जिस विभाग मे नियोजित है

3 मकान मालिक का नाम और मकान मालिक से उसका सम्बन्ध और मकान का पूरा पता

4 नियमो के अन्तर्गत अनुज्ञेय मकान किराया प्रमाणित किया जाता है कि —

(i) मेरे, मेरी पत्नि/पुत्र/पुत्री/पिता/माता हिन्दू अविभाजित परिवार जिसका मैं सह-भागीदार (copartner) हू, द्वारा स्वामित्व वाल (owned) मकान मे मैं आवास कर रहा हू।

(ii) जिस मकान का मकान किराया क्लेम किया गया है, वह सामान्य रूप से, मेरे परिवार के सदस्यो के अलावा किसी अन्य द्वारा काबिज नही है।

(iii) मेरी पत्नि/पति को केन्द्रीय सरकार, राज्य सरकार कोई स्वायत्त सार्वजनिक उपक्रम अर्द्ध राजकीय सगठन जैसे नगर पालिका आदि कोई आवास उसी स्थान पर जहां मै रह रहा हू, आवटित नही किया गया है।

हस्ताक्षर

दिनांक पद

विभाग

कार्यालय अध्यक्ष के कार्यालय मे उपयोग हेतु

प्रमाणित किया जाता है कि —

(1) मैंने मकान किराया भत्ते के क्लेम की जांच कर ली है और मैं सन्तुष्ट हू कि यह क्लेम नियमो के अनुसार है। सरकार द्वारा विहित प्रमाण पत्र सरकारी कर्मचारी से प्राप्त कर लिये हैं।

(2) मकान किराया भत्ता रु ··· ··· एतद्द्वारा स्वीकृत किया जाता है।

हस्ताक्षर

कार्यालय अध्यक्ष एवं

उसका पद

(वित्त विभाग क्रमांक एफ 12(1)एफ डी (ग्रुप-2)/82 दिनांक 29-9-1982

5. नियमो के अन्तर्गत अनुज्ञेय मकान किराये भत्ते की राशि,
6. किराये के आवास को कब्जे मे लेने की तारीख

यह प्रमाणित किया जाता है कि:—

( i ) मैं किराये के मकान, जो ग्राम/नगर पालिका............की सीमा मे स्थित है, मे निवास करता हू ।

( ii ) मुझे राजकीय आवास नही दिया गया है ।

( iii ) जिस मकान के लिये मकान किराया भत्ते का क्लेम किया गया है, उसका कोई भाग उप-किराये पर (sub let) पर नही दिया गया है या उसका कोई भाग मेरे परिवार के सदस्यो, जो मुझ पर पूर्ण रूप से निर्भर है, के अतिरिक्त किसी अन्य को न तो किराये पर (sub let) दिया गया है और न उनके द्वारा उस पर कब्जा किया गया है ।

( iv ) मेरी पत्नि/पति न तो सरकारी सेवा मे है और न किसी अन्य सार्वजनिक/व्यक्तिगत सेक्टर मे नियोजित है और न पद स्थापन स्टेशन पर उनको लगाया गया है ।

या

मेरी पत्नि/पति, मेरे पोस्टिग के स्थान पर सरकारी सेवा या सार्वजनिक/प्राईवेट सेक्टर के अधीन सेवा मे है और यह कि मेरी पत्नि/पति सरकार।अन्य नियोजन से किसी प्रकार का मकान किराया प्राप्त नही करते है ।

(जो लागू नही होता है उसे काट दिया जावे)

( v ) यह प्रमाणित किया जाता है कि मेरे अधीन स्थान के लिये मेरे द्वारा वास्तव मे दिया जाने वाला किराया मुझे अनुज्ञेय मकान किराया भत्ता से अधिक नही है/था ।

( vi ) मेरी पत्नि/पति को केन्द्रीय सरकार, राज्य सरकार एव किसी स्वायत्त सार्वजनिक उपक्रम या अर्द्ध राजकीय सगठन द्वारा कोई पारिवारिक आवास उसी स्थान पर जहा मैं रह रहा हू, आवटित नही किया गया है ।

दिनाक

हस्ताक्षर
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कार्यालय अध्यक्ष के उपयोग हेतु
प्रमाणित किया जाता है, कि:—

(1) मैंने मकान किराया भत्ते के क्लेम की जांच कर ली है और मैं सन्तुष्ट हू कि यह क्लेम नियमो के अनुसार है । सरकार द्वारा विहित प्रमाण-पत्र सरकारी कर्मचारी से प्राप्त कर लिये गये हैं ।

(2) मकाय किराया भत्ता रु ......................एतद्द्वारा स्वीकृत किया जाता है ।

हस्ताक्षर
(कार्यालय अध्यक्ष)
पद
दिनांक..................

दिनाक

अनुलग्नक

स्वयं के (owner) या उसकी पत्नि/पति/सतान/पिता/माता या हिन्दू अविभाजित परिवार के सहभागी (copartner) आवास मे रहने वाले सरकारी कर्मचारी के सम्बन्ध में मकान किराया भत्ता क्लेम करने के लिये प्रार्थना-पत्र का प्रपत्र.—

1 नाम

2 पद एवं जिस विभाग में नियोजित है

3 मकान मालिक का नाम और मकान मालिक से उसका सम्बन्ध और मकान का पूरा पता

4 नियमो के अन्तर्गत अनुज्ञेय मकान किराया प्रमाणित किया जाता है कि :—

(i) मेरे, मेरी पत्नि/पुत्र/पुत्री/पिता/माता हिन्दू अविभाजित परिवार जिसका मैं सह-भागीदार (copartner) हू, द्वारा स्वामित्व वाले (owned) मकान में मैं आवास कर रहा हू।

(ii) जिस मकान का मकान किराया क्लेम किया गया है, वह सामान्य रूप से, मेरे परिवार के सदस्यो के अलावा किसी अन्य द्वारा काबिज नही है।

(iii) मेरी पत्नि/पति को केन्द्रीय सरकार, राज्य सरकार कोई स्वायत्त सार्वजनिक उपक्रम, अर्द्ध राजकीय सगठन जैसे नगर पालिका आदि कोई आवास उसी स्थान पर जहा मैं रह रहा हू, आवटित नही किया गया है।

दिनांक

हस्ताक्षर
पद
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कार्यालय अध्यक्ष के कार्यालय मे उपयोग हेतु

प्रमाणित किया जाता है कि:—

(1) मैंने मकान किराया भत्ते के क्लेम की जाच कर ली है और मैं सन्तुष्ट हू कि यह क्लेम नियमों के अनुसार है। सरकार द्वारा विहित प्रमाण-पत्र सरकारी कर्मचारी से प्राप्त कर लिये हैं।

(2) मकान किराया भत्ता रु ··· ······ ····एतद्द्वारा स्वीकृत किया जाता है।

हस्ताक्षर
कार्यालय अध्यक्ष एवं
उसका पद

(वित्त विभाग क्रमांक एफ. 12(1)एफ डी (ग्रुप-2)/82 दिनांक 29-9-1982

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दि 1-4-81, 1-6-81, 1-8-81, 1-10-81, 1-11-81, 1-1-82, 1-4-82
एव 1-6-82-से स्वीकृत हुए मंहगाई भत्ते की दरें

**Dearness Allowance Sanctioned with effect from 1-4-81, 1-6-81, 1-8-81, 1-10-81, 1-11-81, 1-1-82, 1-4-82 and 1-6-82**

| | 1-4-81 13 | 1-6-81 14 | 1-8-81 | 1-10-81 | 1-11-81 | 1-1-82 | 1-4-82 | 1-6-82 |
|---|---|---|---|---|---|---|---|---|
| Upto 274 | 108 50 | 116 50 | 124 50 | 132 50 | 140 50 | 148 50 | 156 00 | 164 50 |
| 275-350 | 123 00 | 132 00 | 141 00 | 150 00 | 159 00 | 168 00 | 177 00 | 186 00 |
| 351-354 | 123 00 | 132 00 | 141 00 | 150 00 | 159 00 | 168 00 | 177 00 | 186 00 |
| | **1-4-81** | **1-6-81** | **1-8-81** | **1-10-81** | **1-11-81** | **1-1-82** | **1-4-82** | **1-6-82** |
| 355-439 | 140 00 | 150 00 | 160 00 | 170 00 | 180 00 | 190 00 | 200 00 | 210 00 |
| 440-529 | 190 00 | 205 00 | 220 00 | 235 00 | 250 00 | 265 00 | 280 00 | 295 00 |
| 530-640 | 240 00 | 260,00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 641-649 | 240 00 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 650-749 | 240 00 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 750-859 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 | 400 00 |
| 860-950 | 315 00 | 340 00 | 365 00 | 390 00 | 415 00 | 440 00 | 465 00 | 490 00 |
| 951-959 | 315 00 | 340 00 | 365 00 | 390 00 | 415 00 | 440 00 | 465 00 | 490 00 |
| 960-1059 | 325 00 | 350 00 | 375 00 | 400 00 | 425 00 | 450 00 | 475 00 | 500 00 |
| 1060-1299 | 380 00 | 410 00 | 440 00 | 470 00 | 500 00 | 530 00 | 560 00 | 590 00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---|---|---|---|---|---|---|---|---|
| 1300–1329 | 1687 00+ | 417 00 | 447 00 | ** | 507 00 | 537 00 | **** | 597 00 |
| 1330–1349 | 357 00 | 417 00 | 447 00 | 447 00 | 507 00 | 537 00 | 537 00 | 597 00 |
| 1350–1899 | 357 00 | 417 00 | 447 00 | 447 00 | 507 00 | 537 00 | 537 00 | 597 00 |
| 1900–1919 | 397 00 | 2317 00++ | 487 00 | 487 00 | *** | 577 00 | 577 00 | ***** |
| 1920–2340 | 397 00 | 397 00 | 487 00 | 487 00 | 487 00 | 577 00 | 577 00 | 577 00 |
| 2341–2399 | 397 00 | 397 00 | 487 00 | 487 00 | 487 00 | 577 00 | 577 00 | 577 00 |
| 2400–& Over | 250 00 | 250 00 | 300 00 | 300 00 | 300 00 | 300 00 | 350 00 | 350 00 |
| + ++ D A + *Pay not* to exceed this | | | Provided Pay+D A shallnot be less than *Rs 2886/–* | Provided Pay+D A shall not be less than *2886/–* | Provided Pay+D A shall not be less than *2886 Rs* | Provided Pay+D A shall not be less than *2976 Rs* | Provided | Pay+D A *shall not* be less than Rs 2976/– |

** The amount by which pay falls short of Rs. 1777/–

*** The amount by which total falls short of Rs 2407/–

**** The amount by which pay falls short of Rs 1867/–

***** The amount by which pay falls short

Note For *D A With Effect From* **1–4–82 & 1–6–82** Vide Government Order No F 1 (5) FD (Gr 1) 77–I dated 11–10–1982 (para 2) the amount of arrears on account of D A at the above rate payable upto 30–9–82 in respect of serving employees shall be created to the G P F Account of the employees The amount of increase in D A with effect from 1–4–82 and 1–6–82 at the rates indicated (*in para 1 above*) shall be paid in cash with effect from 1–10–82 i e pay for the month of October, 1982 payable in *November, 1982*

दि 1-4-81, 1-6-81, 1-8-81, 1-10-81, 1-11-81, 1-1-82, 1-4-82
एवं 1-6-82-से स्वीकृत हुए मंहगाई भत्ते की दरें

**Dearness Allowance Sanctioned with effect from 1-4-81, 1-6-81, 1-8-81, 1-10-81, 1-11-81, 1-1-82, 1-4-82 and 1-6-82**

| | 1-4-81 13 | 1-6-81 14 | 1-8-81 | 1-10-81 | 1-11-81 | 1-1-82 | 1-4-82 | 1-6-82 |
|---|---|---|---|---|---|---|---|---|
| Upto 274 | 108 50 | 116 50 | 124 50 | 132 50 | 140 50 | 148 50 | 156 00 | 164 50 |
| 275-350 | 123 00 | 132 00 | 141 00 | 150 00 | 159 00 | 168 00 | 177 00 | 186 00 |
| 351-354 | 123 00 | 132 00 | 141 00 | 150 00 | 159 00 | 168 00 | 177 00 | 186 00 |
| | **1-4-81** | **1-6-81** | **1-8-81** | **1-10-81** | **1-11-81** | **1-1-82** | **1-4-82** | **1-6-82** |
| 355-439 | 140 00 | 150 00 | 160 00 | 170 00 | 180 00 | 190 00 | 200 00 | 210 00 |
| 440-529 | 190 00 | 205 00 | 220 00 | 235 00 | 250 00 | 265 00 | 280 00 | 295 00 |
| 530-640 | 240 00 | 260,00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 641-649 | 240 00 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 650-749 | 240 00 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 |
| 750-859 | 260 00 | 280 00 | 300 00 | 320 00 | 340 00 | 360 00 | 380 00 | 400 00 |
| 860-950 | 315 00 | 340 00 | 365 00 | 390 00 | 415 00 | 440 00 | 465 00 | 490 00 |
| 951-959 | 315 00 | 340 00 | 365 00 | 390 00 | 415 00 | 440 00 | 465 00 | 490 00 |
| 960-1059 | 325 00 | 350 00 | 375 00 | 400 00 | 425 00 | 450 00 | 475 00 | 500 00 |
| 1060-1299 | 380 00 | 410 00 | 440 00 | 470 00 | 500 00 | 530 00 | 560 00 | 590 00 |

| 1 | 2 | | 4 | 5 | | | | |
|---|---|---|---|---|---|---|---|---|
| 1300–1329 | 1687 00+ | 417 00 | 447 00 | ** | 507 00 | 537 00 | **** | 597 00 |
| 1330–1349 | 357 00 | 417 00 | 447 00 | 447 00 | 507 00 | 537 00 | 537 00 | 597 00 |
| 1350–1899 | 357 00 | 417 00 | 447 00 | 447 00 | 507 00 | 537 00 | 537 00 | 597 00 |
| 1900–1919 | 397 00 | 2317 00++ | 487 00 | 487 00 | *** | 577 00 | 577 00 | ***** |
| 1920–2340 | 397 00 | 397 00 | 487 00 | 487 00 | 487 00 | 577 00 | 577 00 | 577 00 |
| 2341–2399 | 397 00 | 397 00 | 487 00 | 487 00 | 487 00 | 577 00 | 577 00 | 577 00 |
| 2400–& Over | 250 00 | 250 00 | 300 00 | 300 00 | 300 00 | 300 00 | 350 00 | 350 00 |
| + ++ D A + Pay not to exceed this | | | Provided Pay+D A shallnot be less than Rs 2886/– | Provided Pay+D A shall not be less than 2886/– | Provided Pay+D A shall not be less than 2886 Rs | Provided Pay+D A shall not be less than 2976 Rs | Provided | Pay+D A shall not be less than Rs 2976/– |

** The amount by which pay falls short of Rs. 1777/–

*** The amount by which total falls short of Rs 2407/–

**** The amount by which pay falls short of Rs 1867/–

***** The amount by which pay falls short

Note For D A With Effect From 1–4–82 & 1–6–82 Vide Government Order No F 1 (5) FD (Gr 1) 77–I dated 11–10–1982 (para 2) the amount of arrears on account of D A at the above rate payable upto 30–9–82 in respect of serving employees shall be created to the G P F Account of the employees The amount of increase in D A with effect from 1–4–82 and 1–6–82 at the rates indicated (in para 1 above) shall be paid in cash with effect from 1–10–82 i e pay for the month of October, 1982 payable in November, 1982

**City compensatory allowance**

Members of All India Services (Serving in connection with the officers of the State) shall be paid compensatory City Allowance at the following rates

| Stage in time scale | Rate |
|---|---|
| Rs 700/–P M or above | 4 5% of pay with a *maximum Limit of Rs 50/–* |

(1) Vide (F D, Order No F 1 (3) FD rules/70 dated 1–1?–76, new Sub-rule (2) Under rule 3 added and existing rule 3 renumbered as rule 3, sub rule (1) with effect from 1–9–76

(2) The *words "Serving in connection with the affairs of stated ' sub-* stituted vide F D, No F 12 (3) FD (Gr 2)/81 dated 16–10–81

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**Rules for Grant of House Building Advance to Govt Servants**

SUB Rules for grant of House Building Advance to Govt Servants

The Governor has been pleased to order that the following amendments shall be made in the rules for grant of advance for House Building to Govt. *servants, namely,—*

In the said rules —in the existing sub-rule (12) of Rule 3, the following sentence shall be added at the end namely —

> ' In cases where the whole amount of advance is repaid in one instalment simple interest @ 13% shall be charged for the period from the date of receipt of advance up to the date immeditely preceeding the date of actual repayment '

(Order No F 11 (4) FD (Gr 2) 78 dated 13–8–1981)

**AMENDMENTS IN HOUSE RENT ALLOWANCE**

Sub — **House Rent Allowance**

The Governor has been pleased to order that the following amendments may be made in the House Rent Rules namely —

In the said rules in rule 7 (a) the existing words ' A" class and ' B ' class appearing in the bracket shall be substituted by the words A , B ' and C class

(Order No F 12 (2) (2) FD (Gr 2)/77 Dated 22–6–1982

AMENDMENTS IN | 1 CONVEYANCE ADVANCE RULES
| 2 FOOD GRAIN ADVANCE RULES
| 3 HOUSE BUILDING ADVANCE RULES

Sub Rate of interest on State Loans

The Governor has been pleased to make the following amendments in his department order No F 14 (20) FWN/63 dated 7-5-1965

(1) Existing entry at S No 10 be read as under All Loans to Govt Servants except Food Grain Conveyance and House Building" 7% (Seven per cent)

(2) New Entries as S Nos 13, 14 and 15 be added as under—
Type of Loan Rate of Interest charged

(13) House Building Advance to Government Servants

(i) For advance upto Rs 25000/- 7% (Seven per cent)

(ii) For advance between

Rs 25001/-and Rs 50 000/- 8½% (Eight and half per cent)

(iii) For advance between Rs 50 001/- and Rs 70 000/- 10½ (Ten and half per cent)

(14) Conveyance Advance to Government Servants

(i) All types of conveyance other than Motor cars – 7½% (Seven and half per cent)

(ii) Motor Cars – 9%(Nine percent)

(15) Food Grain Advance to Government Servants— – 10½% (Ten and half per cent)

In the process of recovery of House Building Advance the protion of the loan carrying the higher rate of interest will be treated as having been refunded first

Rules governing grant of above mentioned loans be deemed to have been amended to this extent The administrative departments concerned may please note and charge interest at revised rates on loans to be advanced by them in cases in which no final agreements have yet been executed otherwise

1 (Order No F 1 (11) P W M /77 dated 5th June 1982)

SUB —Rules for grant of advance for Purchas of

Conveyance to Govt Servants

### City compensatory allowance

Members of All India Services (Serving in connection with the officers of the State) shall be paid compensatory City Allowance at the following rates

| Stage in time scale | Rate |
|---|---|
| Rs. 700/–P M. or above | 4 5% of pay with a maximum Limit of Rs 50/– |

(1) Vide (F D, Order No F 1 (3) FD rules/70 dated 1–1?–76, new Sub–rule (2) Under rule 3 added and existing rule 3 renumbered as rule 3, sub rule (1) with effect from 1–9–76

(2) The words "Serving in connection with the affairs of stated "substituted vide F D, No F. 12 (3) FD (Gr. 2)/81 dated 16–10–81

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### Rules for Grant of House Building Advance to Govt Servants

SUB: Rules for grant of House Building Advance to Govt. Servants

The Governor has been pleased to order that the following amendments shall be made in the rules for grant of advance for House Building to Govt. servants, namely,—

In the said rules —in the existing sub–rule (12) of Rule 3, the following sentence shall be added at the end, namely:—

> "In cases where the whole amount of advance is repaid in one instalment simple interest @ 13% shall be charged for the period from the date of receipt of advance up to the date immeditely preceeding the date of actual repayment "

*(Order No F 11 (4) FD (Gr 2) 78 dated 13–8–1981)*

### AMENDMENTS IN HOUSE RENT ALLOWANCE

Sub — **House Rent Allowance**

The Governor has been pleased to order that the following amendments may be made in the House Rent Rules, namely —

In the said rules, in rule 7 (a) the existing words "A" class and ' B" class ' appearing in the bracket shall be substituted by the words A", ' B ' and C ' class

(Order No F 12 (2) (2) FD (Gr 2)/77 Dated 22–6–1982

AMENDMENTS IN
1 CONVEYANCE ADVANCE RULES
2 FOOD GRAIN ADVANCE RULES
3 HOUSE BUILDING ADVANCE RULES

1 Sub – Rate of interest on State Loans

The Governor has been pleased to make the following amendments in this department order No F 14 (20) FWN/63 dated 7-5-1965

(1) Existing entry at S No 10 be read as under ' All Loans to Govt Servants except Food Grain Conveyance and House Building" 7% (Seven per cent)

(2) New Entries as S Nos 13, 14 and 15 be added as under—
Type of Loan — Rate of Interest charged

(13) House Building Advance to Government Servants

(i) For advance upto Rs 25000/- 7% (Seven per cent)

(ii) For advance between Rs 25001/-and Rs 50 000/- 8½% (Eight and half per cent)

(iii) For advance between Rs 50 001/- and Rs 70 000/- 10½ (Ten and half per cent)

(14) Conveyance Advance to Government Servants

(i) All types of conveyance other than Motor cars – 7½% (Seven and half per cent)

(ii) Motor Cars – 9%(Nine percent)

(15) Food Grain Advance to Government Servants— – 10½% (Ten and half per cent)

In the process of recovery of House Building Advance the protion of the loan carrying the higher rate of interest will be treated as having been refunded first

Rules governing grant of above mentioned loans be deemed to have been amended to this extent The administrative departments concerned may please note and charge interest at revised rates on loans to be advanced by them in cases in which no final agreements have yet been executed otherwise

1 (Order No F 1 (11) P W M /77 dated 5th June 1982)

SUB —Rules for grant of advance for Purchase of

Conveyance to Govt Servants

The Governor has been pleased to order that the following amendmen shall be made in the Rules for the grant of advance for purchase of conveyan to Govt. Servants.

In the said rules, in the existing sub-rule (vii) of Rule 3, the followi sentence shall be added at the end namely:—

"In case where the whole amount of advance is repaid in one instalme simple interest @ 13% shall be charged for the period from the date receipt of advance upto the date immediately preceeding the date of actu repayment."

(Order No. F.1(37) FD (Gr. 2)/78 dated 13-8-1981).

The following may be added at the end of the existing sub-rule (vii) rule 3 of the Rules of the grant of advance for purchase of conveyance:—

"In case where the whole amount of advance is repaid in one instalme simple interest @ 13% shall be charged for the period from the date receipt of advance upto the date of actual payment".

(F.D. Order No. F. 1 (37) FD (Gr. 2) 38 dated 13-8-1981.